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George Washington  
From wax profile by Patience Wright, 1785

*(Courtesy New York Historical Society)*

# **The American Revolution**

## **In New York**

**Its Political, Social and Economic Significance**

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**For General Use as Part of the Program  
of the Executive Committee on the  
One Hundred and Fiftieth Anniversary  
of the  
American Revolution**

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**Prepared by the  
DIVISION OF ARCHIVES AND HISTORY**



**Albany  
The University of the State of New York  
1926**



**One Hundred and Fiftieth Anniversary  
of the  
American Revolution**

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## INTRODUCTION

One hundred fifty years ago, through the conflict known in history as the American Revolution, the royal province of New York was changed into an independent republic and a few years later became a member of the United States of America. During this century and a half a weak colony of 180,000 people has developed into a powerful state with 10,000,000 citizens; and wealth, comfort, culture and welfare have increased to almost incredible dimensions. These blessings we owe to the adventurous spirit, the toil and self-sacrifice, the supreme faith in their own ability, the capacity for cooperative effort, and a vision of America's future which the founding fathers of the Commonwealth possessed. It is highly fitting, therefore, that we who today are enjoying the rewards of their endeavors and sacrifices should express our appreciation in words and deeds through the Sesquicentennial anniversaries.

New York's role in the Revolution has been ignored, misrepresented and misunderstood. Although some excellent biographies, local histories and monographs of certain phases of the Revolution have been written, yet an adequate history of that epoch-making movement as a whole has not been attempted. The political and military activities of the patriots of New York have been treated with a fair degree of fullness if not fairness, but the equally important social, economic, religious and educational activities have been sadly neglected.

Any one who will take the pains to study the original sources of the State during the Revolutionary period will realize that the Revolution was not a simple struggle but tremendously complex and kaleidoscopic. The military problems were much more difficult and complicated than has been pictured. Little attention has been given to that important change from colony to independent statehood through the revolutionary local committees and provincial congresses; and scant notice has been taken of the gigantic task of framing the first State Constitution and organizing the State Government under it in the midst of a bitter civil war. To finance the war and to secure the necessary military stores for 8 years required as much organizing ability and self-sacrifice as to recruit troops and to win battles. Our eyes have been centered on the relatively small number of soldiers who defeated the enemy, while we have forgotten the masses of people on the farms and in the cities and villages who suffered hardships,

endured sacrifices and kept up the morale of the Nation so that the war might be won. These civilians paid the taxes, furnished the supplies and kept the new political machinery functioning at a cost of devotion and self-sacrifice not fully appreciated.

Further it should be remembered that the real Revolution did not take place on the battlefield but in government, in society in general, in industry and in religious and cultural institutions. A new type of citizenship — more self-reliant, more responsible and more democratic — emerged from the clash of ideas and of arms. These transformations and readjustments must be comprehended before one can understand how the Revolution produced the State of New York, the American Nation and a new order in world history.

It is the purpose of this handbook to outline these important but neglected aspects of the Revolution as well as to sketch the traditional interpretation of the military phases. It is hoped that it will encourage the people of the State, by further study, to gain a deeper appreciation of the significance of the struggle which produced the great schism of the British Empire in the eighteenth century and created the first democratic federal republic in the annals of the human race. If during the Sesquicentennial the citizens of New York gain a truer conception of the many sides of the Revolution, if they feel a deeper gratitude to the fathers, soldiers and noncombatants alike, if they come to have a more appreciative consciousness of their rich inheritance, and if as a result they realize more fully their obligation both to perfect and to transmit the blessings they have received from the founders, then the mission of this work will have been accomplished.

At the suggestion of the President and the Board of Regents of the University of the State of New York this book was prepared (1) to present in brief outline for popular use the history of the Revolution; (2) to acquaint the people of the State with the outstanding personalities of New York in that memorable conflict; (3) to supply a handy bibliography for further study of the many aspects of that crisis; and (4) to give some useful suggestions for local celebrations in churches, clubs, patriotic and civic bodies, and schools and colleges.

ALEXANDER C. FLICK  
*State Historian*



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# THE AMERICAN REVOLUTION IN NEW YORK

## I

### CAUSES OF THE REVOLUTION

The American Revolution is recognized generally as one of the most important factors in modern world history. It created a new Federal Republic out of a portion of the British Empire, and helped to democratize the remainder. It accelerated the French Revolution, which banished the Bourbon régime and opened a new era of popular government in Europe. It set the example for our sister republics in Latin America, and for thirty or more republics now girdling the globe.

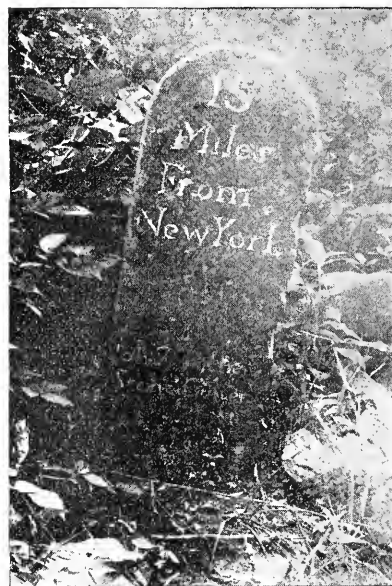
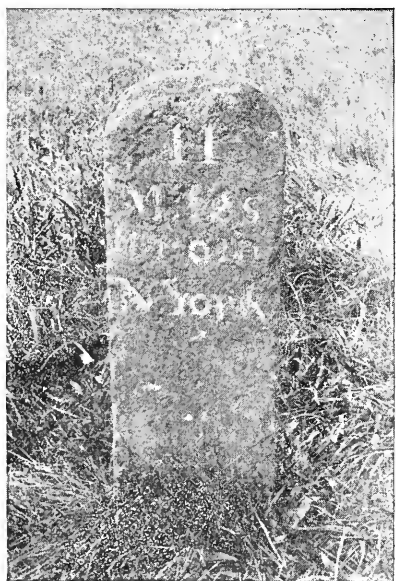
The fundamental causes of the Revolution should be clearly distinguished from the occasion or the immediate provocations. The theory of English law made the colonies directly subject to the crown. Parliament legislated for them freely in accordance with the commonly accepted theory of the relation of a colony to the parent state. To assert that the Revolution was caused solely by attempts to tax the colonies is to ignore a conflict which originated far back in English history. The collisions at Lexington and Ticonderoga were due less to the Stamp Act and Tea Tax than to forces persisting in England and America since the revolt against Charles I.

During the colonial period the relations between the colonies and the home government were far from satisfactory. Causes of friction were continually at work to foment trouble. The British authorities frequently interfered in colonial affairs. In the long run, however, the colonists had their own way though only after bitter contests.

The primary causes of the American Revolution, as revealed by recent scholars through careful study of the sources, may be set forth as follows:

1 When the Pilgrims and Puritans fled to New England for greater civic and religious freedom, when the Dutch carried their ideas of self-government to New Netherland, when the Quakers, French Huguenots, Roman Catholics and German Palatines fled to the New World to escape religious persecution, and when the cavaliers of the South came to America in protest against the Hanoverians, the germs of the Revolution were planted on this side of the Atlantic. This "state of opinion," as John Adams called it, formed the groundwork for the Revolution.

2 For a century and a half — a period stretching as far back of the Revolution as we are ahead of it — these colonists, increased by later arrivals, were permitted to develop their own institutions in their own



### NEW YORK MILE-STONES

Above, the seventh and tenth mile-stones; below, the eleventh and fifteenth mile-stones, measuring from the New York City Hall on the Albany Post Road



way, with less interference from the home government than has been commonly believed. In consequence, in the freer atmosphere of frontier communities amid the democratic influences of a new continent, the colonists created machinery of self-government, enjoyed greater religious toleration, exercised more initiative in regulating their social, economic and cultural life, and became more self-reliant and independent than was possible in the Old World. These tendencies were accentuated by the neglect and ignorance of the motherland. The restraints placed on the colonies by the British trading corporations and by parliament, and the interference with their trade and commerce by exacting laws, generated a spirit of resistance. So little value was placed on the real and potential resources of the colonists that the Navigation Laws and other restrictive measures were not rigidly enforced. Thus the colonists were left free, in large measure, to fashion their own lives, to develop their own institutions, to propagate their own ideas, and to mold their own civilization.

3 As a result of these unprecedented conditions in the American corner of the British Empire, there grew up gradually on this side of the Atlantic what was virtually a new nation with a new interpretation of the British constitution, which differed fundamentally from that held in England. At last, when the English government sought to enforce its view of the character of the Empire and of the constitution on the colonists, together with its conception of the subordinate relation of the colonies to the parent state, it encountered the opposition of forces that had been growing for 150 years. The changed attitude had come about so gradually and so unconsciously that the policy of the British government after 1765 seemed to the colonists like harsh oppression, and the attitude of the colonists seemed to English statesmen like unwarranted rebellion.

4 The victorious French and Indian war, 1756-63, had two important consequences which brought on a crisis. In the first place, it left the mother country with a national debt which for that day amounted to the enormous sum of \$700 000,000. In the second place, the eyes of British statesmen were opened to the great wealth of the colonies and, as a result, plans were devised to tax the colonies in order to relieve the heavy burden at home. It was decided to enforce rigidly the Navigation Acts of 1650-63, which were intended to compel the colonists to export their goods in English ships manned by British crews and to prevent their shipping goods to any but British ports. These acts likewise prevented European goods, except salt and wines, from being sent to the colonies without the payment of duties. Now these acts had been so indifferently enforced for a century that a

large part of the tea, fruit, sugar, molasses and other foreign commodities used in the colonies was smuggled. When about 1765 it was resolved to revive the Navigation Acts and to pass others such as the Stamp Act to raise a revenue in America, the shippers, wholesalers, and retailers of the colonial coast towns raised their voices in loud protest and said there could be no "taxation without representation." The hostility of the mercantile class between 1765 and 1775 was so pronounced that they took the lead in inciting acts of protest against the measures of the British parliament.

5 In 1761 and 1763 the British government forbade trading with the Indians unless a royal license had first been secured and also prohibited settlers and speculators from obtaining lands from the Indians beyond the Allegheny mountains. In 1768 the Fort Stanwix treaty defined the line more strictly. These measures irritated the numerous traders, trappers, adventurers, speculators and frontiersmen from the St Lawrence to Florida and caused them to range themselves on the side of the merchants and shippers in denouncing interference from overseas with their rights.

6 The planters of the South had been accustomed to borrow money from English bankers and merchants to harvest and market their crops. They were also encouraged to buy on credit larger quantities of goods from British houses than they needed. In time they found themselves deeply indebted to English capitalists. Then they sought to pay their debts with cheap paper money. The English creditors appealed to parliament for protection and the debts were ordered paid in sound money. As a result, the planters joined the businessmen and frontiersmen and traders in resenting the financial policy of Great Britain in dealing with the colonies.

7 Finally, in the New World, a large part of the population consisted of day laborers, tenant farmers, small shopkeepers, and semi-skilled workers who lived a freer and happier life than their fellows in the Old World, but who had not accumulated much wealth. They were ready to join any movement that promised to improve their economic lot, raise them in the social scale, and increase their political rights. In the large cities this element could easily be incited to cry for liberty and to denounce tyranny. It played no small role in the struggle.

8 For the decade between 1765 and 1775 various measures passed by parliament to raise a revenue in America or to assert control over the colonies, or to punish them for disobedience, had the general effect of welding these various elements into a powerful party of opposition. Opposition quickly developed into armed rebellion. Rebellion ended in Revolution which separated the colonies from the motherland.

The Sugar Act of 1764 to support 10,000 British soldiers in America; the Stamp Act of 1765; the Declaratory Act of 1766; the tax on tea, glass, paper, etc., in 1767; the suspension of the power of the Assembly of New York in 1767; the creation of a Customs House for America in 1767; the dissolution of Massachusetts Assembly in 1768 for refusing to rescind a "Circular Letter" to the other colonies; the seizure of John Hancock's sloop "Liberty" for a false entry in 1768; the dispatch of British troops to Boston in 1768; the parliamentary resolution for trial of treason in the colonies in 1769; the riot of Golden Hill in New York and the Boston Massacre in 1770; the suppression of the "regulators" in North Carolina in 1771; the arrival of tea in America in 1773; the passage of the Boston Port Bill in 1774; the decision to take persons accused of opposition to the government to England for trial in 1774; the concentration of British troops in Boston and the fortification of the city in 1774; the dissolution of the Massachusetts assembly by royal order in 1774; the act for restraining the trade of colonies in 1775; and the British expedition to Salem, Mass., to seize cannon on February 26, 1775, constituted the immediate causes which culminated in the skirmishes of Lexington and Concord, April 19, 1775; the capture of Fort Ticonderoga, May 10, and Crown Point, May 12, 1775; the battle of Bunker Hill, June 17, 1775; and the fall of Montreal, November 12, 1775. Between April 19 and November 12, 1775, under the direction of extra-legal continental and provincial bodies, the British colonies in America mobilized for armed rebellion, which rapidly developed into revolution. The part played by the patriots of New York from 1763 to 1775 was an important one in this train of events.

The British naval captains aroused the hostility of New Yorkers by their repeated efforts to seize Americans for their ships under the barbarous "pressing" system of that day. In 1764 some fishermen in New York bay were impressed on a British frigate. When the captain of the vessel visited the city in a small boat, the next day, the companions of the impressed men burned the captain's boat and forced him to sign an order for the release of the "pressed" fishermen. This incident was both typical and significant. It showed the harsh power exercised by those from overseas and revealed the spirit of resistance in the colonies. It presaged a conflict between the two unless some compromise could be reached.

On March 8, 1764, the New York merchants sent a memorial to the Lords of Trade protesting against the injustice of the Sugar Act. A month later they declared their grievances in a petition to parliament from the Assembly. Parliament modified the Sugar Act as a result of

this opposition. The Assembly authorized in that year a committee to correspond with the other colonies relative to objectionable measures. The committee of correspondence subsequently became an important agency in bringing on the Revolution.

When reports of the intention to pass the Stamp Act reached New York in 1764, the Assembly urged united action in the name of English liberty against the objectionable duty on the ground that the people were being taxed without their consent. This was "the beginning of official action in behalf of American union for American interests and the honor of it belongs to New York." William Smith, William Livingston and John Morin Scott, all educated at Yale, led the popular party. Lieutenant Governor Colden reported the action of the Assembly as "undutiful and indecent."

The Stamp Act was approved by George III on March 22, 1765, and news of its enactment reached New York on April 11th. It was printed in New Jersey in a pamphlet by J. Parker, and a copy is still preserved in the New York Public Library.

The Stamp Act of 1765 produced the first of a series of crises which a decade later resulted in the Declaration of Independence. The idea of collecting money through the sale of stamps and stamped paper required for all sorts of legal transactions was not new. It had been tried in both England and the colonies. In 1756 New York enacted a stamp duty for "all Vellum Parchment and Paper" and created "a Stamp Office" to collect the revenue. It was not the cost of the stamped paper so much as the principle involved in the method that aroused the colonists. For the first time the British parliament openly sought to force the American colonists to pay money into the British treasury without the approval of their own assemblies. "Taxation without representation" was the issue — not a new one — but an immediate one.

News of the passage of the Stamp Act sent a wave of indignation over the colonies from New Hampshire to Georgia. "Nowhere was opposition more active or determined than in New York," where Colden reported that "it occasioned a universal tumult." The New York stamp collector, James McEvers, a merchant, appointed on July 1st, resigned his office on August 30th out of fear of personal injury. Governor Moore said that "the whole city rose up as one man in opposition to the Stamp Act." The newspapers were filled with hostile articles during the early fall of 1765, urging the people to refuse to purchase the obnoxious stamped paper.

When the stamps and stamped paper arrived at New York City on October 23, 1765, rioters threatened to destroy ship and cargo if the hated paper was not surrendered to them. The stamped paper was

removed to a warship, and 3 days later lodged in the fort for safety. When the "Minerva" arrived November 15th with a second consignment of stamped paper, it was likewise stored away and not sold. The Sons of Liberty, unusually vigilant, persuaded the merchants to form a nonimportation agreement; and a committee was appointed to induce people to carry on business as usual without stamped paper.

Placards appeared on the streets of New York City bearing the following threat: "Pro Patria. The first Man that either distributes or makes use of Stamp Paper, let him take care of his House, Person & Effects. Vox Populi; We dare." Franklin's famous woodcut of a snake cut into pieces with the words, "Join or die" was printed for the first time in New York. A newspaper of the metropolis announced that on February 7, 1765, "Lady North American Liberty" had "died of a cruel stamp on her vitals," but had left an only son "prophetically named Independence," on whom all hopes were centered "when he shall come of age."

The spirit of resistance in New York City was increased by the presence of the Stamp Act Congress there from October 7th to 25th. Called by a circular letter of the Massachusetts Assembly on June 8th, at the suggestion of New York, nine colonies sent two delegates each to this first genuinely American Congress. Previous intercolonial congresses had been summoned by the British government or by royal governors. This was an extra-legal Continental Congress called to meet an emergency. Its proceedings, still preserved, show that it voted by colonies. New York was represented by the Assembly's committee of correspondence, and the most conspicuous member was Philip Livingston. After eleven days of heated debate four remarkable state papers were produced. In "A Declaration of Rights and Grievances," written by John Dickinson, it was maintained that the colonists had "all the inherent rights and liberties" of subjects born in Great Britain; that among those rights were trial by jury and taxation by their own representatives; that the colonists were not represented in parliament and hence the Stamp Act was an open violation of their rights; and that therefore the obnoxious measure should be repealed. Petitions to the king, to the House of Lords, and to the House of Commons, recited the same arguments.

The historical significance of the Stamp Act Congress lies in the fact that it sprang spontaneously from American sentiment; that it revealed settled convictions about the character of the Empire and the constitution which would be stubbornly maintained; and that it showed a consciousness of solidarity of interest and political unity which within a few years were to give birth to a new nation. "There ought to be no New England man, no New Yorker, known on the continent,

but all of us Americans," wrote Christopher Gadsden, a delegate from South Carolina. But it was a native son of New York, John Morin Scott, a Yale graduate and a gifted lawyer, who, before Virginia raised the standard of resistance or Massachusetts had pointed the way to union, boldly advocated "independence." He declared that the "great fundamental principles of government should be common to all its parts and members, else the whole shall be endangered. If, then, the interest of the mother country and her colonies can not be made to coincide; if the same constitution may not take place in both; if the welfare of the mother country necessarily requires a sacrifice of the most natural rights of the colonies—their right of making their own laws, and disposing of their own property by representatives of their own choosing—if such is really the case between Great Britain and her colonies, then the connection between them ought to cease; and, sooner or later, it must inevitably cease."

With such sentiments in the press and with the inspiration of the Stamp Act Congress before them, it is not strange that on October 31st at a general meeting of the citizens of New York City, 200 of them signed a condemnation of the Stamp Act. Thus to New York merchants belongs the honor of taking the first practical steps in the cause of liberty and at the peril of their personal and commercial interests. "Inflammatory Papers" were distributed among the people by the post-riders. A committee of correspondence was named at the same time with Isaac Sears as chairman to keep in touch with other parts of the province and with neighboring colonies.

On November 1, 1765, the Stamp Act went into effect. It was a doleful day. Bells tolled the death of American liberty. Shops were closed; flags hung at half-mast; mourning costumes were donned by the people; newspapers printed a skull in the place where the stamp should have been; and protesting pamphlets appeared.

In the evening a mob of several thousand collected before Fort George, the symbol of royal authority, where Governor Colden had stored under guard the stamped paper which had arrived while the Stamp Act Congress was in session. The rioters threw stones at the British soldiers and threatened to burn the fortress with their torches. So intense was the strain that had the garrison fired on the people Lexington might have taken place in New York ten years earlier. In their midst the mob carried a scaffold on which were two images—one to represent the old grey-haired governor with a stamped paper in his hand, and the other intended for the devil whispering evil counsel in the governor's ear. Governor Colden's coachhouse near the fort was broken open. The effigies were placed in his "charriot" and paraded about the streets, after which the figures were hung on a gibbet

within 100 yards of the "Fort Gate," and finally cut down and burned together with the "charriot," other vehicles, and the stable furniture. Colden's eldest son saved the governor's household goods from a similar fate only by moving them into the fort, while his wife and children were hurried on board a warship in the harbor.

Meanwhile the Stamp Act, printed on sheets in large letters under the caption "England's Folly and America's Ruin," was raised on poles and carried about for the edification of the public. Colden feared that the mob would carry out its threat to burn the fort and plunder the city, and reported that his own life was menaced. "Great numbers" came in from the country to participate in these protests. A portion of the rioters did rush the residence of Major Thomas James of the Royal Artillery, who was reported to have boasted: "I will cram the stamps down the throats of the people with the end of my sword." His house was broken open, his furniture, books and clothing were burnt, and his life was threatened. Colden reported that "a great number in the city" disapproved of this outbreak.

On November 5th, Colden, who had promised that he would not enforce the Stamp Act, turned the detested stamped paper over to the mayor of the city to be deposited in the City Hall under the city watch. On November 11th the common council congratulated General Gage upon the "restoration of this city's tranquility" and avoidance of the "impending evils of Civil War." Sir Henry Moore arriving as Governor on November 13th reported on November 21st that he found so much opposition to the Stamp Act that he was powerless to enforce it. To appease the people he dismantled Fort George. About 1200 of the freemen and freeholders of the city on November 26th asked the Assembly to issue a "Declaration" of the "Rights of the People" to jury trial and taxation only by their own representatives. The lawyers on December 20th resolved to conduct their business without stamped paper. The merchants of New York City and other places agreed not to import English goods unless the Stamp Act should be repealed, and this action was followed by a nonconsumption pledge by the mechanics and tradesmen. As a result business was soon at a standstill. Farm products declined in price, and bills and debts went unpaid. The courts ceased to function and no vessels were permitted to leave the port. Debtors broke out of prison. Even children paraded the streets at night shouting for liberty. The patriots began to wear coarse homespun clothes, and even Governor Moore to win favor with the populace, bought two homespun coats. Marriages were not performed with licenses requiring a stamp. Traffic in land grants stopped because stamped paper was necessary for the titles. The public newspapers "were cramm'd with treason."

Taking all these facts into consideration, it is not surprising that Colden, who was a shrewd and capable student of colonial affairs, should write on December 13, 1765, that "the Dependency or independency of the Colonies seems now to be at the crisis." The Sons of Liberty a few weeks later resolved "to go to the last extremity" with their lives and fortunes to prevent the enforcement of the Stamp Act, and began an active correspondence with the Sons of Liberty in other colonies as to ways and means. Governor Moore was at a loss to know how to act. When the freedom of the city in a gold box was tendered him, he refused it because the corporation did not have it written on stamped paper.

On January 9, 1766, ten more boxes of stamped paper and parchment arrived at New York. This time they were not sent to the City Hall, but were taken out and burned. The Sons of Liberty openly applauded this act of rebellion but the city fathers offered a reward for the arrest of the participants. It is needless to say that few of the offenders' names were discovered. When more stamped paper reached the city on January 23th, the Mayor was more alert and had it "lodged in the city hall." On April 4, 1766, another small bundle of the stamped paper was burned at a "grand meeting of the Sons of Liberty."

Colden reported that outside of New York City there was little commotion over the Stamp Act. On November 22, 1765, Sir William Johnson in a letter to the Lords of Trade from Johnson Hall denounced the "audacious behavior of the New Yorkers," who were striving for "that democratical system" and encouraging "that spirit of libertinism and independence daily gaining ground," and demanded that the "few pretended patriots," who in reality were "enemies to the British constitution," should be checked. The following January he was writing from the Mohawk valley about "the disorders occasioned by our riotous people here." The city of Albany remained quiet until after members returned from the Assembly, when riots occurred, and there was a serious rising of tenants against landlords. A committee of the Sons of Liberty waited upon six persons and forced five of them to take an oath that they would not accept the office of stamp distributor. Henry Van Schaack, postmaster, at first refused, whereupon the mob entered his home, broke his windows and furniture and made a bonfire of his pleasure sleigh in the streets of Albany.

Governor Moore reported on April 30, 1766, that the "disorders which began at first in the towns have by degrees spread themselves into the country" where governmental authority was flouted on all occasions. One of the results in Dutchess and Westchester counties was the riot of tenants who threatened to burn New York City unless



their leaders were released from jail. In other places tenants refused to pay rents and "prescribed laws to their landlords." When they resisted arrest, a skirmish ensued in which about twenty-four persons were killed or wounded on both sides. From Westchester county 500 men with arms marched into the vicinity of New York City ready to act.



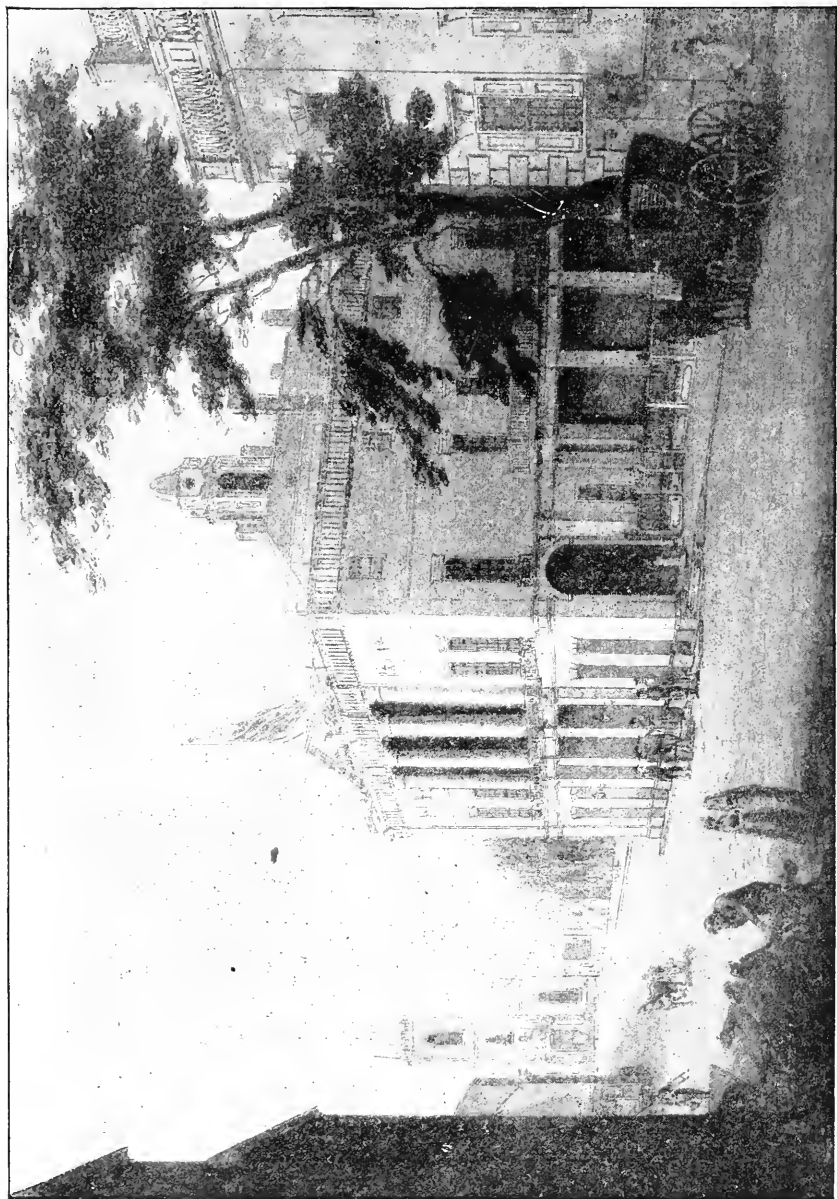
Sir William Johnson Hall

From the painting by E. L. Henry, depicting an Indian Council in 1772. Sir William is seen presenting a medal to an Indian; the blockhouse at the left has been burned; the one at the right is still standing.

*(Courtesy of Mrs Charles B. Knox)*

The significance of these events has not been fully understood. New York was on the verge of civil war. These uprisings in the cities and rural districts formed the prelude to the Revolution. The Governor ordered the regular troops as well as the militia "to be in readiness on the alarm bell being rung" for an attack. Although no general clash occurred the death or injury of twenty-four persons was in itself a serious matter, and antedated Lexington by almost 9 years.

George III said that he was "more and more grieved at the accounts of America; where this spirit will end is not to be said." He hurried the summoning of parliament in order that some conciliatory action might be taken. Franklin clearly and correctly expressed the American mind when he told parliament that the people would never pay such taxes except under compulsion. Governor Moore had announced publicly that he had suspended his power to execute the Stamp Act. The Assembly on November 19th approved of the action of New York's delegates to the Stamp Act Congress, and sent petitions based on those of that body to the king, lords and commons.



Old City Hall, New York City, on site of Sub-Treasury, at Wall and Nassau Streets

The Sons of Liberty, led by Sears, Lamb and McDougall, born in spirit during Zenger's trial in 1735, and christened after Barré's great speech in 1765, guided popular opinion in hostility to the Stamp Act. On November 26th they sent an anonymous letter to the Assembly demanding, in addition to opposition to the enforcement of the Stamp Act, the restoration of the dismantled fort at the expense of Colden, the substitution of a militia for British troops, and the enactment of laws for the welfare of the people. The Assembly objected to such efforts at intimidation and asked the Governor to punish the authors of the letter.

The king's assent to the repeal of the Stamp Act had been given on March 18, 1766. The governors in America were informed in a letter written March 31, 1766, that the act had been rescinded. On April 26th a British skipper brought the news to New York and at 3 o'clock in the morning "all bells in this place rang and . . . made a hideous din." Uncertainty arising as to the genuineness of the report, the celebration was stopped. The true report of the repeal came by way of Boston on May 20th and once more the bells were set ringing. A banquet, speeches and bonfires under the auspices of the Sons of Liberty were held the next day. Prayers of thanksgiving were offered, and a royal salute of twenty-one guns was fired. On June 4th, the king's birthday, Governor Moore had an ox roasted, a hogshead of rum and twenty-five barrels of beer opened, and the people sang and shouted their joy. A Liberty Pole was erected on the commons dedicated "To his most Gracious Majesty, George III, Mr Pitt, and Liberty."

Apparently it was not until June 11th that Governor Moore officially announced the repeal to the Council and General Assembly. At his request an address was sent to the "best of kings," George III, "with joy undissembled" expressing their gratitude. The people proposed to erect a statue to William Pitt, and following this suggestion the Assembly on June 30th voted an equestrian statue to George III and to Pitt "an elegant statue in brass." On February 6, 1768, the Assembly voted £1000 for the monument to George III and £500 for one to William Pitt. They were made in England and arrived June 4, 1770. Pitt's statue erected in Wall street was mutilated by British troops in 1777 and its headless trunk is now in the New York Historical Society. George III's statue, set up in Bowling Green, was torn down by irate patriots on July 9, 1776, and part of it was cast into bullets in the cause of independence.

Down to the opening days of the Revolution, March 18th was celebrated each year to commemorate the repeal of the Stamp Act. It



*Alvan M. Donnell*

served as an occasion for assembling the "Friends of Liberty." For instance in 1770, 230 persons had "an elegant entertainment" at which forty-five loyal and patriotic toasts were drunk, and ten men were sent to dine with Captain McDougall who was in jail as a result of his patriotic enthusiasm.

When a pamphlet appeared criticising Colden and the Stamp Act a committee was named by the Assembly to investigate its origin. Yet that body refused to recompense Colden for the loss of his property at the hands of the mob, although the British government had ordered it done. Ships sailed without "let passes," and Colden said that great quantities of goods continued to be smuggled into the colony — ten times more than before the Stamp Act.

In the contest over the Stamp Act there can be no doubt that the colonies won a great victory for their principles. The outcome, with the repeal of the obnoxious measure, caused them to feel that they were right in their contentions. In the disagreements immediately ahead the repeal of the act was repeatedly cited to encourage resistance to distasteful laws. "Addresses of thanks and measures of rebellion" were the consequences of the repeal, as described by William Knox.

On the heels of the angry outbreak against the enforcement of the Stamp Act came the quarrel over the failure of the Assembly to appropriate funds for the care of British troops. On December 3, 1765, Governor Moore sent a message to the Assembly stating that under an act of the last parliament the colonies were ordered to supply the king's troops in America with quarters and supplies, and that the commander in chief had asked for such provision from New York. The next month he informed the Assembly that the British troops would arrive shortly, and asked an appropriation for them. The Assembly refused it on the grounds (1) that the expense was too heavy; (2) that the number of troops was uncertain; and (3) that the articles required were too "unprecedented." At last, however, the Assembly compromised and voted £4000, the balance in the treasury, but a wholly inadequate sum.

Governor Moore reported to the British government that even this small grant was more the result of compulsion than gratitude; and that every act of parliament would meet the same fate unless backed up by force. The Assembly had refused to supply the troops with cider or beer, and in revenge on August 10th the Liberty Pole was cut down. The following evening while the people were re-erecting the pole, British soldiers with drawn bayonets assaulted them wounding among others the popular idol, Isaac Sears. A second Liberty Pole

was erected at once. This incident and others made the royal troops so unpopular that the Assembly on December 15, 1766, refused outright to comply with Governor Moore's request for supplies. Hence 4 days later that body was prorogued. George III said New York's action was "rebellion." Parliament singled out this colony for special punishment and, in July 1767, suspended the law-making powers of the Assembly until it should comply fully with the law. Up to this time, apparently, no such arbitrary step had been taken by the British government in coercing New York. On June 6, 1767, however, the Assembly had already voted £3000 for troops in New York and consequently the punitive act was not enforced. The Assembly was dissolved on January 2, 1769, by Governor Moore because of its insolent action. The newly elected Assembly yielded in 1769. This accommodating Assembly was kept in power until the outbreak of the Revolutionary War. Fifteen of its members were Tories and ten patriots or Whigs.

The surrender of the Assembly in voting supplies for British troops aroused the wrath of the people of New York. At a huge mass meeting in New York City, over which John Lamb presided, a vote of censure was passed condemning that body for having betrayed the cause of the people. The Assembly resented this charge, denounced the meeting as seditious and arrested Lamb. The courts quickly released him. Then Alexander McDougall was arrested for making an attack on the Assembly in a public placard. Less fortunate than Lamb, he was kept in jail over a year awaiting trial for libelous statements. Soon his cause aroused public sympathy and he became a popular hero. Banquets were held in his honor, presents were sent him and crowds visited his cell. Not since Zenger's trial in 1735 had a law case awakened so much interest and excitement. Only after the principal witness against him died was he released.

Meantime Boston had become obstreperous. General Gage and some of his soldiers were transferred to that center of trouble, thus relaxing the tension somewhat in New York. Redcoats enough were left, however, to occasion frequent clashes. Since the Sons of Liberty, who led all these popular demonstrations, were now wrangling with the Assembly, the British officers no longer restrained their troops and clashes and street fights became more common. In January 1770, the Liberty Pole was again cut down. This act aroused the ire of the Sons of Liberty and people who, in a public meeting at the scene of the outrage, adopted a resolution that all soldiers found on the streets after roll call "should be treated as enemies to the peace of the city" and pledged themselves to enforce the measure.

The next morning placards were found posted up in various parts of the city ridiculing the resolutions just passed and daring the citizens to enforce them. During the day Sears and his friends found three soldiers putting up more of the handbills. A skirmish ensued and the offenders were being taken to the mayor, when reinforced by twenty others. A general fight with cutlasses, stones and clubs took place near or on Golden Hill. In this brush several patriots and soldiers were badly wounded. "Much blood was spilt" wrote a contemporary. A group of officers sent the soldiers to their barracks. In the days following a number of frays occurred, until the mayor issued a proclamation forbidding the soldiers to leave their barracks unless accompanied by a noncommissioned officer. Another Liberty Pole was shortly erected which remained until taken down on October 28, 1776, by the British. This engagement has come to be known in history as the "Battle of Golden Hill." It preceded by several weeks the Boston Massacre.

The "association," was an effective method of protest, which involved deprivations and hardships because by boycotting English goods the colonists refused to purchase many badly needed articles. Of the colonies New York alone faithfully observed this nonimportation agreement, although much of its prosperity depended upon its commerce. Thus both commercial needs and commercial restrictions deepened the chasm between England and America. In the spring of 1768 the New York merchants once more resorted to the boycott in order to compel the repeal of the duty levied on paper, glass, and other articles. Nearly all the merchants signed it and the tradesmen and mechanics revived the nonconsumption pledge. No less a personage than Burke was the English agent of the colony of New York.

By 1770 the differences between the British government and the American colonials had incited armed clashes in which blood was shed. In the conflict over the Stamp Act one may say that the colonists were guilty of insurrection. This insurrection shortly progressed to rebellion. Revolution quickly followed rebellion. The underlying causes of this appeal to the god of war permeated a century and a half of colonial history. The Stamp Act and other irritating measures supplied the excuse for the exchange of blows.

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## II

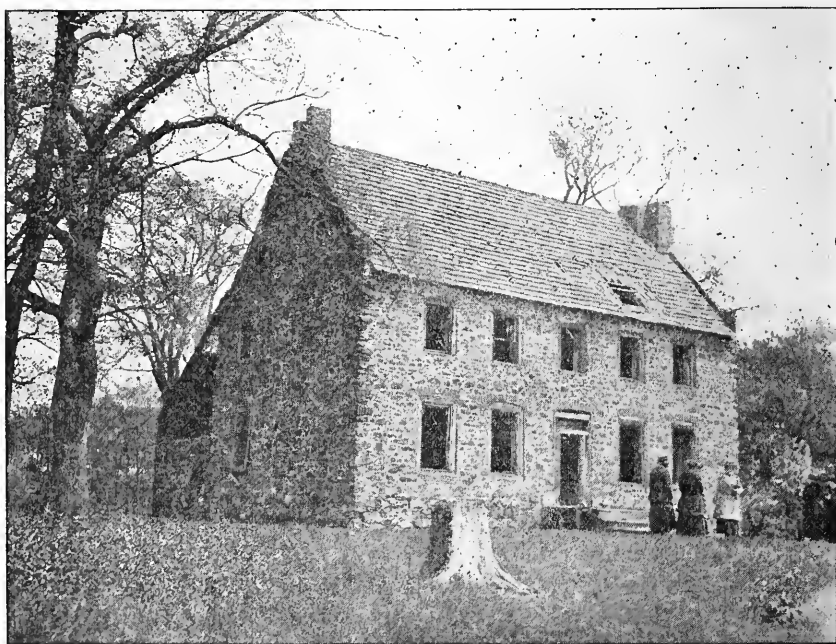
### RISE OF THE REVOLUTIONARY COMMITTEE SYSTEM

For a century and a half prior to the Revolution the people of New York had been accustomed to act through representative committees in order to win one concession after another for self-government. During the Dutch period the Twelve Men, the Eight Men, the Nine Men, and other groups, wrested rights for the people from autocratic governors and the mercenary West India Company. Similarly the English on Long Island and in Westchester county, accustomed to the town meeting, expressed their protests through their local committees. Thus almost from the outset the people of this colony had perfected the machinery for uttering their discontent and demands. During the Leisler Rebellion, Stephen Van Cortlandt wrote to Governor Dongan on July 9, 1689, "They have appointed a Committee of Safety" which "opens all letters" and "raised 60 men whereof Jacob Leyslaer is Capt." "Our present Govt here is a Committee of Safety," Mr Tudor reported to Captain Nicholson. This committee took over the customs house, carried on correspondence and kept minutes of its proceedings. It even ordered new elections, and some of the members of the committee were summoned by Leisler to serve in his council.

During the controversy over the enforcement of the Navigation Laws, the Sugar Act of 1764 and the Stamp Act of 1765, committees were created in New York to correspond with those of other colonies and to contrive means of opposing those measures. Similar committees were organized elsewhere. Even the assemblies created committees of correspondence. The Assembly of New York had such a committee, which was delegated to represent the colony in the Stamp Act Congress. Indeed that Congress was a "convention of committees." These early committees grew out of specific needs, it is true, but they were the prototypes of those that followed.

As the conflict between the colonists and the English government became more acute, the people, distrusting their regular representatives, gradually assumed the leadership of resistance. When Governor Tryon fled to the British warship in New York harbor, the Council ceased to meet regularly, the Assembly seemed like a ship without a rudder, and the colonial government virtually ceased to function. Out

of this situation the committee system arose as a logical and natural solution of the problem. Called into existence by necessity, the committee system performed the important function of tiding over the transition from colony to statehood. It provided orderly government during a period which otherwise would have been one of anarchy and chaos. It was based on the eighteenth century political philosophy that whenever life, liberty, property and the pursuit of happiness suffer at the hands of an established government, "it is the right of the people to alter or abolish it, and to institute new government . . . most likely to effect their safety and happiness."



Billopp House, Tottenville, Staten Island

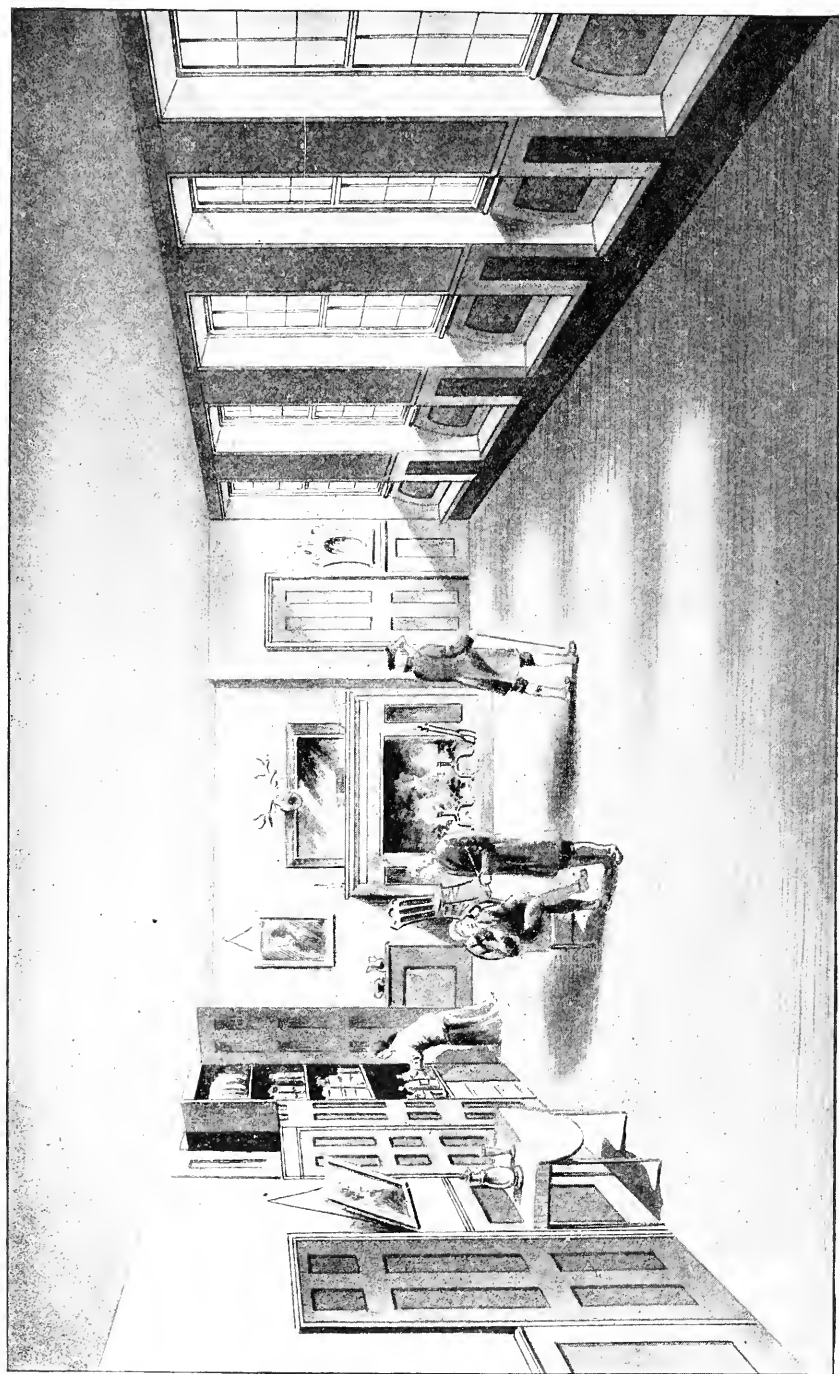
The historical significance of the committee system in the change from a monarchical to a republican government has not been sufficiently recognized by historians of the Revolution. Too much attention has been centered on the military skirmishes and battles and too little on these extra-legal local and state committees which, before an orderly civil government was created, had to enact law and enforce it, perform judicial and police duties, suppress the Loyalists, raise funds, recruit soldiers, furnish military supplies and perform a thousand other duties which were necessary to keep the peace, protect

property, safeguard the rights of the people and carry on an orderly organized society. It took as much intelligence, heroism, sound judgment, foresight, and patriotism to attain these objects as it did to defeat the enemy on the battlefield.

These committees enable us to see how the common people in their various communities throughout the State were doing their share to win the blessings of self-government. In these local centers of colonial life, faith and courage were creating in America a real democracy—intelligent, self-reliant and efficient. Indeed the actual revolution did not take place on the fields of bloody encounter. It occurred first in the changed ideas of individuals. Then it expressed itself through the resolves and activities of the numerous committees representing the patriot portion of the people. Finally it was realized through the changed institutions—political, social, economic and cultural—of the colonists. The defeat of the English and the Loyalists on the field of battle did not bring on the Revolution—it merely cleared the stage for its realization. The committees and congresses, without the sanction of either colonial or imperial law, organized the Revolution and military victory itself was largely dependent upon the successful accomplishment of the tasks of these various committees. The names of the committeemen deserve to be placed on the roll of honor along with those of the soldiers and the statesmen. Memorials might well be erected during the Sesquicentennial to commemorate their work.

The history of the committees is interesting as giving an account of how the system operated. Unfortunately the minutes of most of the local committees have been lost. Sufficient records have survived, however, to present a fairly accurate picture of both the organization and the operation of the system. The partial minutes of the district committee of Schenectady, the only ones to survive apparently, have been printed by the State. The minutes of two county committees, those of Tryon and Albany, have been preserved at least in part. Those of the Tryon County Committee of Safety were edited by Samuel L. Frey and printed in 1905. Those of the Albany County Committee of Correspondence, 1775–78, were published in 1923 by the State.

The Provincial Congress was itself a revolutionary state committee and will be treated in a later chapter. It appointed various temporary and permanent committees and commissions with judicial and executive functions; of these the minutes have survived in two instances. The Minutes of the Commissioners for Detecting and Defeating Conspiracies, Albany County



Historic Long Room in Fraunces Tavern, New York City

Sessions, 1778-81, were published by the State in 1909, and the Minutes of the Committee and of the First Commission for Detecting and Defeating Conspiracies, 1776-78, were printed by the New York Historical Society in 1924-25. In the Journals of the Provincial Congress, the Calendar of Revolutionary Papers and Force's American Archives there are many letters of local committees and in a few instances portions of the minutes.

The Townshend Acts of 1767 reawakened the disturbance occasioned by the Stamp Act and furnished an occasion for protests through committees. These Acts provided (1) that customs officers should be sent to America to collect the duties; (2) that new customs duties should be placed on glass, paints, tea etc.; (3) that writs of assistance were legal; and (4) that concessions to the East India Company should enable it to sell tea in America at a price low enough to drive out smuggled tea. Objection had been raised to the stamp duties because they were a direct tax. These new duties were an indirect tax, and the colonists themselves had admitted the legality of such a tax. It was also proposed to pay the colonial crown officers out of these revenues and thus make them independent of the assemblies. Governor Moore was the first royal governor of New York to be paid out of the imperial treasury.

Having won one victory over direct taxation, the colonists now proceeded to fight the imposition of indirect taxes. In a circular letter to the other colonies in 1768, Massachusetts asked them to protest against the new tax. At a meeting of merchants in New York City, April 8, 1768, a committee was appointed to revive the nonimportation agreement as the best means of securing the repeal of the Townshend Acts. The Sons of Liberty once more became active. The Assembly protested against the new measures and thanked the merchants for their patriotic zeal. When goods arrived from England they were stored unopened. Colden announced that the objectionable duties would probably be removed. When the Assembly voted money for the British troops, at a protest meeting of 400 people a committee of eight was appointed to carry the objections of the gathering to the city authorities and to the Assembly.

During the years 1769 and 1770 New York City had the reputation of standing firmly by its agreement to boycott all English goods. On March 13, 1769, a special committee was named to "inspect all European importations." The merchants of New York City on May 30, 1770, resolved "That we will, to the Utmost of our Power, by all legal means, preserve the Nonimportation Agreement inviolate in the city and colony" until the objectionable duties were repealed. Up-

river towns like Albany had their own local committees to communicate intelligence and to enforce the nonimportation pledge. On April 18, 1770, however, the Albany committee announced the intention to restrict the boycott to tea. Knowing that other colonies were not rigidly enforcing the nonimportation compact, the New York Committee of Correspondence asked other cities to send delegates to a conference at Norwalk, Conn., on June 18, 1770, to formulate some general plan "for the benefit of the whole." When the other colonies refused to do so, sentiment in New York was divided as to the course to follow. One group opposed separate observance of nonimportation; the other faction insisted on action without waiting for the other colonies to conform. This latter group was defeated, however, in a vote taken in the city, when 3000 persons voted to modify the nonimportation agreement and 1154 to enforce it unchanged. After this action was taken, neighboring colonies criticised New York. "You have certainly weakened the Union of the Colonies . . . and deserted the Cause of Liberty and your Country," wrote the Philadelphia merchants. Connecticut was surprised that the people who were first to sign the agreement should be the first to break it. During the years 1771 and 1772 conditions in New York were quiet and almost normal, and the committees became inactive.

Samuel Adams in a circular letter in 1772 urged the organization of local committees, and by January 1773, Massachusetts had eighty or more of these bodies. In 1773 the House of Burgesses of Virginia suggested the creation of a standing committee of correspondence. The idea found a ready response and by 1774 every colony except

## To the PUBLIC.

**T**HE Sense of the City relative to the Landing the India Company's Tea, being signified to Captain Lockyer, by the Committee, nevertheless, it is the Desire of a Number of the Citizens, that at his Departure from hence, he should see, with his own Eyes, their Detestation of the Measures pursued by the Ministry and the India Company, to enslave this Country. This will be declared by the Convention of the People at his Departure from this City; which will be on next Saturday Morning, about nine o'Clock, when no Doubt, every Friend to this Country will attend. The Bells will give the Notice about an Hour before he embarks from Murray's Wharf.

*By Order of the COMMITTEE.*

NEW YORK, APRIL 21<sup>st</sup>, 1774.

Invitation to the first New York tea party

(Courtesy of New York Historical Society)

Pennsylvania had its provincial committee. The colony of New York appointed a committee of thirteen in the Assembly on January 20, 1774, which was directed to keep watch of the acts of parliament, to correspond with "our sister colonies," and to report to the house.

Meanwhile in the fall of 1773 the people of New York began to be agitated over the tea tax. Public thanks to the captains of London ships for refusing to accept consignments of tea for New York were printed in the newspapers on October 15th. Many of the rumors that tea ships were approaching kept the people stirred up. Some of the patriots, organized as an unauthorized committee calling themselves "the Mohawks," served notice in Rivington's Gazette, on December 2d that they were "prepared to pay an unwelcome visit" to any persons arriving with the forbidden tea. The Sons of Liberty circulated an "association" pledge which was generally signed not to buy, sell or use tea. The governor's Council on December 1st decided to store any tea that might arrive in the fort or lower barracks. The "Liberty Boys" immediately protested against such action. On December 6th Henry White, Abraham Lott and Benjamin Booth were appointed agents for the sale of the tea of the East India Company. They declared, however, that they would not receive the tea and suggested that it be stored until its disposition was decided. Governor Tryon at the same time announced that he would not use force to compel the people to accept the tea. Meanwhile before news of the "Boston Tea Party" on December 16th had been received, there was organized on December 17th, the Committee of 15 in New York City to correspond with other colonies concerning the detested herb. A meeting of 1000 citizens expressed their opposition to the landing of tea.

As the opening days of 1774 passed with constant rumors of the shipment of tea, the people were in a continual state of emotion. The press bubbled with news, the patriots boiled with indignation and the Sons of Liberty once more assumed leadership. On March 14, 1774, they were ordered to meet every Thursday until the tea ship "arrives and departs." Four days later they celebrated the anniversary of the repeal of the Stamp Act — a ceremony which had occurred annually since 1768. The tea pledge continued to be signed. At last on April 18, 1774, a broadside announced that the ship "Nancy" had arrived off Sandy Hook. Captain Lockyer was told that the people were resolved not to permit the tea to be landed. After several days of excited bickering the ship was sent back to England. Another ship in command of Captain Chambers, who was not so accommodating, was boarded by the "Mohawks" on April 22d at 8 p. m. and eighteen cases of tea were dumped into the water. This was "New York's Tea Party," which has been overlooked by historians.

The controversy over the tea ships developed a new phase of the committee system. To meet the emergency a Committee of 51 was chosen on May 16, 1774, by the people in New York City, "to correspond with the neighboring colonies on the important crisis." This committee was the first body in the colony definitely organized for action, as distinguished from correspondence and measures of nonresistance against those measures which precipitated the Revolution and to its suggestion the Continental Congress owed its origin. New York having just heard from the express rider Paul Revere on May 17th that Boston's port would be closed as a penalty for destroying tea, was greatly alarmed by the news, and urged the renewal of the severance of all trade relations with Great Britain. A committee of the Sons of Liberty immediately offered their aid to Boston. After the Boston Port Bill went into effect, which was on June 1st, effigies of four of the authors of the measure hanging by the neck were carried through the streets of the city of New York in protest.

On May 23d the Committee of 51 urged upon the other colonies the assembling of an intercolonial congress without delay. A month later the Assembly's committee of correspondence approved the call. On July 4th the Committee of 51 selected the names of five men to be submitted to the freeholders for approval at the polls. Philip Livingston, John Alsop, Isaac Sears, James Duanè and John Jay were elected.

Various localities of the province now began to organize committees. On August 27, 1774, the Palatine district of Tryon county out on the frontier, met at Stone Arabia in the upper Mohawk valley and organized a committee of safety, which was the basis for a county committee. Albany had a committee as early as September 1774. No doubt other sections of the province followed these examples. The First Continental Congress of September 5, 1774, was regarded as a great national committee to safeguard "the rights and liberties of the colonies." It asked every county, district and town to organize a committee and thus seemed to give a legal sanction to these revolutionary bodies.

The New York Provincial Congress on May 26, 1775, appointed a "standing committee of correspondence" and the next day ordered all the counties to name committees for the counties, towns and districts to have the "general association" signed, in order to execute the orders of the Continental Congress. Every citizen was to be invited to sign the "association" and by July 1775, all the nonsigners were to be reported to the Provincial Congress. The Schenectady committee repeatedly asked the people to sign the association. Those who did so



in Albany county, and probably elsewhere, were given certificates. The nonassociators were boycotted. For example the Schenectady committee ordered an employer of carpenters to dismiss those who were non-associators and engage only associators. Cumberland county had a committee by June 21, 1775. The Albany committee in June 1775, was cooperating with the Provincial Congress in improving the military situation on Lake Champlain. In August the county committees were ordered to purchase or hire all arms fit for service and turn them over to the recruiting colonels. Two committeemen or more in each district were asked to help organize militia companies. General Herkimer, as chairman of the Tyron county committee, asked the Provincial Congress on August 12th what to do with the Loyalists. In September the local committees were authorized to punish by a fine or imprisonment all persons who aided the enemy. Those who opposed the authority of the Continental Congress and the Provincial Congress were to be disarmed at first and if the offense was repeated put in jail.

By 1776 every county in New York, except possibly Kings, had its committee and subcommittees in the towns, manors and districts. These county committees varied in size, in method of election, organization and procedure. The committees of the political subdivisions also differed in size, character and activities. New York county alone seems to have had no subcommittees. At the meeting of the Ulster county committee in May 1775 it was recommended that a day be set aside in the colony for fasting and prayer. These county committees performed a multitude of functions. They paid the bills for the poor; offered bounties to the soldiers; recruited troops; bought supplies such as rum, bacon, pork, salt, flour and powder; paid the troops; repaired guns; secured wagons and sleds for transportation; guarded stores; advanced cash to finance the war; regulated the price of tea; and even sent a stove from Albany to the Provincial Convention at Fishkill. They also conducted the elections of the delegates to the Provincial Conventions and Congresses.

The blockade of the port of Boston aroused the indignation of the New York patriots. The committees generously offered aid. The committee of Schenectady raised £75 for the "relief of the poor of Boston" on December 12, 1775, and the fund was increased later to over £128. Finding that it would cost £6-16s to have the money taken to Boston, the economical committee waited until June 23, 1777, when it was forwarded in flour with instructions to bring back a gift of salt for it.

The minutes of the Albany Common Council end on March 25, 1776, and there is no record of any meetings for 2 years. Presumably the revolutionary committee ruled the city until April 17, 1778, when

**A**T a Meeting at the Exchange, 16th May, 1774, ISAAC LOW, chosen CHAIRMAN.

1st Question put, Whether it is necessary for the present, to appoint a Committee to correspond with the neighbouring Colonies, on the present important Crisis? Carried in the Affirmative by a great Majority.

2d. Whether a Committee be nominated this Evening for the Approbation of the Public?---Carried in the Affirmative by a great Majority.

3d. Whether the Committee of 50 be appointed, or 25?---Carried for 50, by a great Majority.

*The following Persons were nominated:*

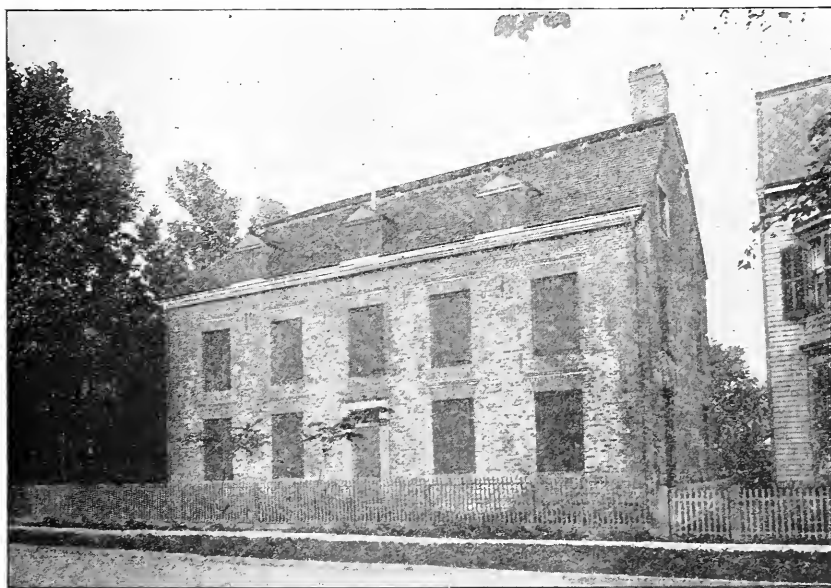
John Alsop,  
William Bayard,  
Theophylact Bache,  
Peter V. B. Livingston,  
Philip Livingston,  
Isaac Sears,  
David Johnston,  
Charles M<sup>c</sup> Evers,  
Charles Nicholl,  
Alexander M<sup>c</sup>Dougall,  
Capt. Thomas Randall,  
John Moore,  
Isaac Low,  
Leonard Lispenard,  
Jacobus Van Zandt,  
James Duane,  
Edward Laight,  
Thomas Pearfall,  
Elias Desbrosses,  
William Walton,  
Richard Yates,  
John De Lancey,  
Miles Sherbrook,  
John Thurman,  
John Jay,  
John Broome,

Benjamin Booth,  
Joseph Hallett,  
Charles Shaw,  
Alexander Wallace,  
James Jauncey,  
Gabriel H. Ludlow,  
Nicholas Hoffman,  
Abraham Walton,  
Gerardus Duyckinck,  
Peter Van Schauck,  
Henry Remsen,  
Hamilton Young,  
George Bowne,  
Peter T. Curtenius,  
Peter Goelet,  
Abraham Brashear,  
Abraham P. Lott,  
David Van Horne,  
Gerardus W. Beckman,  
Abraham Duryee,  
Joseph Bull,  
William M<sup>c</sup>Adam,  
Richard Sharpe,  
Thomas Marston,  
Francis Lewis, added *12th.*  
con. May 19th.

the Common Council was elected and, after taking an oath of allegiance to the new state, reconvened.

Theoretically under the committee system the Continental Congress stood at the head. Then came the Provincial Congress with its state-wide committees. Next in the scale appeared the county committees. At the bottom were the numerous local boards. The lower bodies looked to the higher ones for instruction, advice and guidance. Indeed one finds all sorts of problems sent from the local committees to the county boards, and in turn from the county boards to the state bodies. Before August 3, 1775, local committees, especially those of the counties, followed their own initiative and judgment, but with the enactment of laws by the Provincial Congress, the committees had a common guide. One marvels that there was not more confusion and conflict of authority. Committeemen quite generally, however, were imbued with the ideals of a common cause.

Special committees were named also for specific purposes. For instance on November 22, 1774, New York City elected sixty men as a "committee of observation" to succeed the Committee of 51 chosen to enforce nonimportation. It suggested the election of delegates to the Second Continental Congress and advised the counties to send deputies to the Provincial Convention on April 20, 1775, to choose the delegates. It also urged the counties to select representatives to a Provincial Congress to meet on May 22, 1775.



Fort Crailo, Rensselaer. Front View

The committee system became the popular method of having everything done in carrying on the war. If a fort was to be built, a committee was assigned the task. If the Indians were to be appeased and induced to make treaties, a committee on Indian Affairs was appointed. Special committees dealt with the Loyalists, punished them, and sold their confiscated estates. Early in 1776 local and county committees forbade strangers coming into their regions without having a card showing that they were patriots.

The arrival of an express rider, Israel Bissell, in New York City about noon on Sunday, April 23, 1775, with news of the skirmish at Lexington 4 days before, opened the eyes of the patriots to the fact that civil war was upon them. Marinus Willett said that this information "produced a general insurrection of the populace," and Colden wrote that a "state of anarchy and confusion," and of "disorder and rage" prevailed. The arsenal was broken open and about 600 muskets with ammunition were seized and distributed among "the most active of the citizens" who formed a "voluntary corps and assumed the government of the city." They took possession of the customs house and the public stores. They paraded about the streets. All business ceased. The posts were stopped and the letters read. Two sloops laden with provisions for Boston were unloaded. The Loyalists were threatened with the gallows. "The whole city became one continued scene of riot, tumult and confusion." This was certainly rebellion, if not revolution, and significantly expressed New York's answer to Lexington.

The next day Colden summoned the Council for advice. He was told that the militia were all "Liberty Boys" and would not aid the government. The mayor said that his "authority was gone." The Council refused to act. Assurance was given, however, that all was quiet in Dutchess and Queens counties.

On April 26th the Committee of 60 in the metropolis alarmed by the sudden turn of affairs and perhaps wishing to shift responsibility to a new and larger body, unanimously proposed that a new Committee of 100 should be elected by the freeholders and freemen and that at the same time twenty deputies should be chosen to a Provincial Congress to meet on May 22, 1775. The next day a broadside proposed 100 names for the committee, and the Committee of 60 asked the counties to elect their delegates to the Provincial Congress. On April 29th there was a rush to sign the "association" in which the subscribers vowed to obey all orders of the Continental and Provincial Congresses "for the purpose of preserving our Constitution" and to resist the execution of "the arbitrary and oppressive acts of the

British Parliament" until peace should be made on "constitutional principals." The people hauled the cannon from the city to Kingsbridge to guard the river.

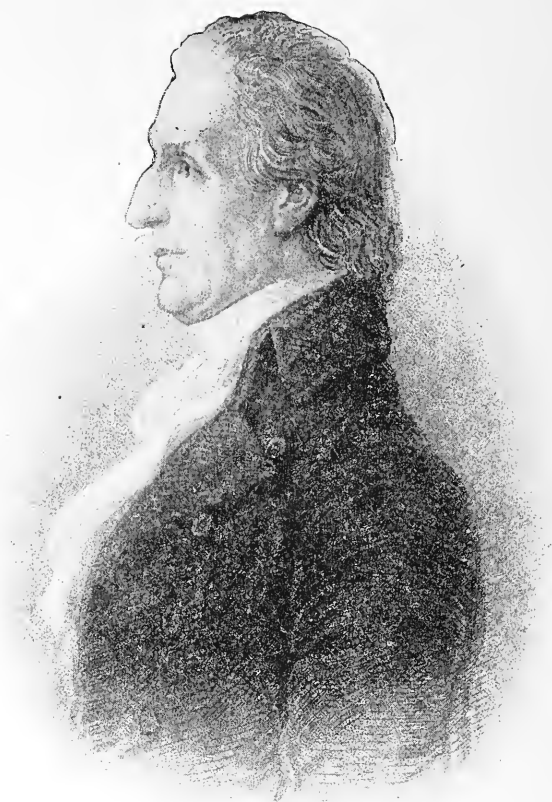
On May 1, 1775, the Committee of 100 was chosen to act "in the present alarming emergency" and twenty-one delegates were elected to the Provincial Congress. On this new committee fifty-five members of the Committee of 60 sat and seven of the forty-five new members had been on the Committee of 51 while the remaining thirty-eight apparently



Fort Constitution on Constitution Island, in the Highlands

*(Courtesy New York Historical Society)*

had had no committee experience. Both Whigs and Loyalists were well represented, the former predominating, however. It was this body that called the people to arms, that ordered the militia to patrol the streets, that prevented provisions from being taken out of the city, that assumed the general direction of the province in the absence of the Provincial Congress, and sent a letter to the lord mayor and magistrates of London. Colden complained that this committee "assumed the whole power of government." It took over the supervision of the mails and the control of the customs house. It protested against

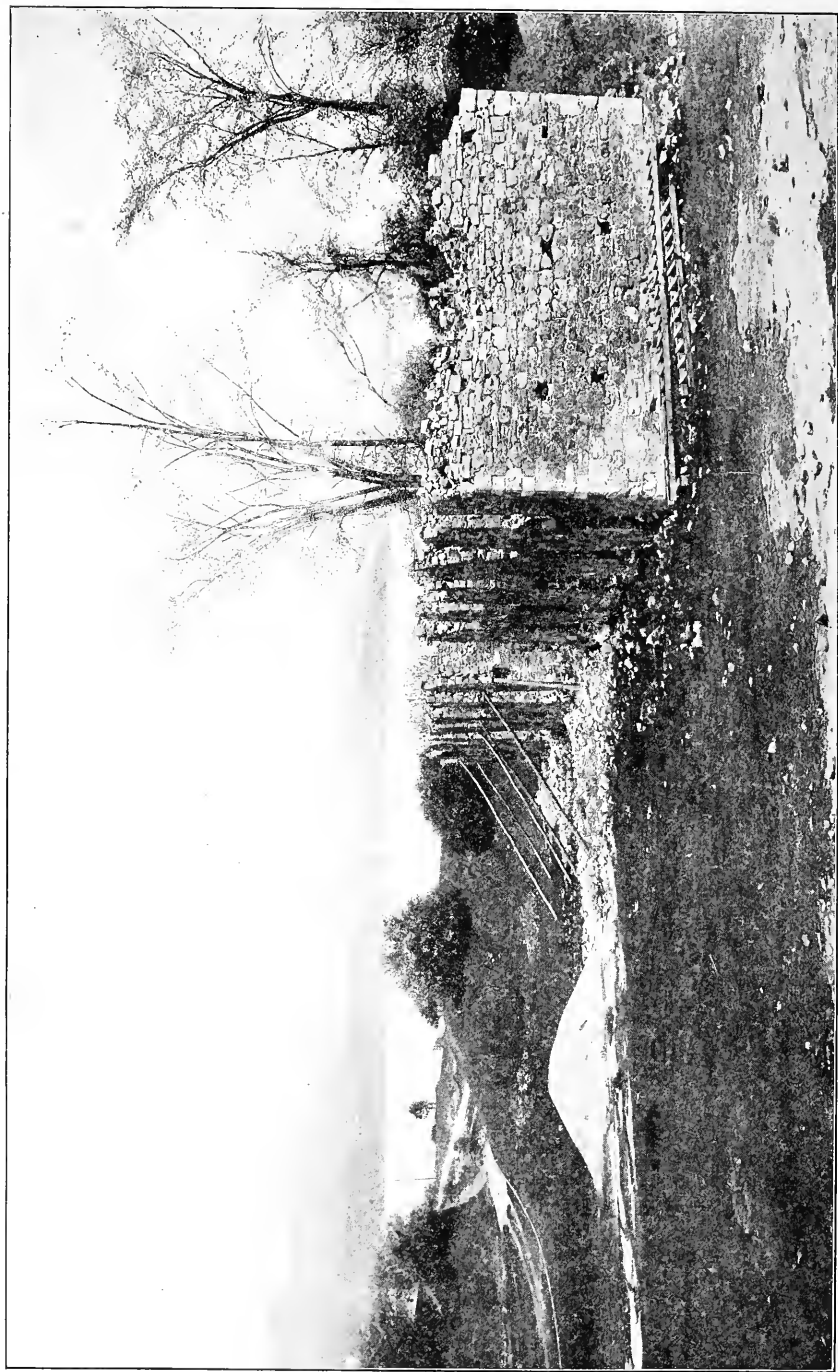


*Marinus Willett*

the continuance of the duty on tea, the "oppressive restraints" on colonial commerce, the blockade of Boston, "arbitrary government," the unconstitutional admiralty courts, the denial of trial by jury, and the "hostile operations" of the British troops in America. But it hoped that "further effusion of human blood" would be prevented and that the "union, mutual confidence and peace of the whole empire" would be restored. A letter from New York on May 4th said: "It is my opinion, from the present spirit of the people, that there is a determined resolution to die with arms in their hands, or establish the liberties of the country on a permanent footing." Franklin was highly pleased to find New Yorkers "arming and preparing for the worst events." The most pronounced Loyalists like Dr Myles Cooper, president of King's College, were forced to flee. Colden was warned to prevent the landing of British soldiers in New York. On May 27th he advised Major Isaac Hamilton to "get five companies on board the 'Asia' as soon as possible" but to keep their departure a secret. The Provincial Congress asked the people to let the troops depart peaceably. The king's birthday was celebrated on June 4, 1775, on the warship "Asia" but the city remained significantly silent.

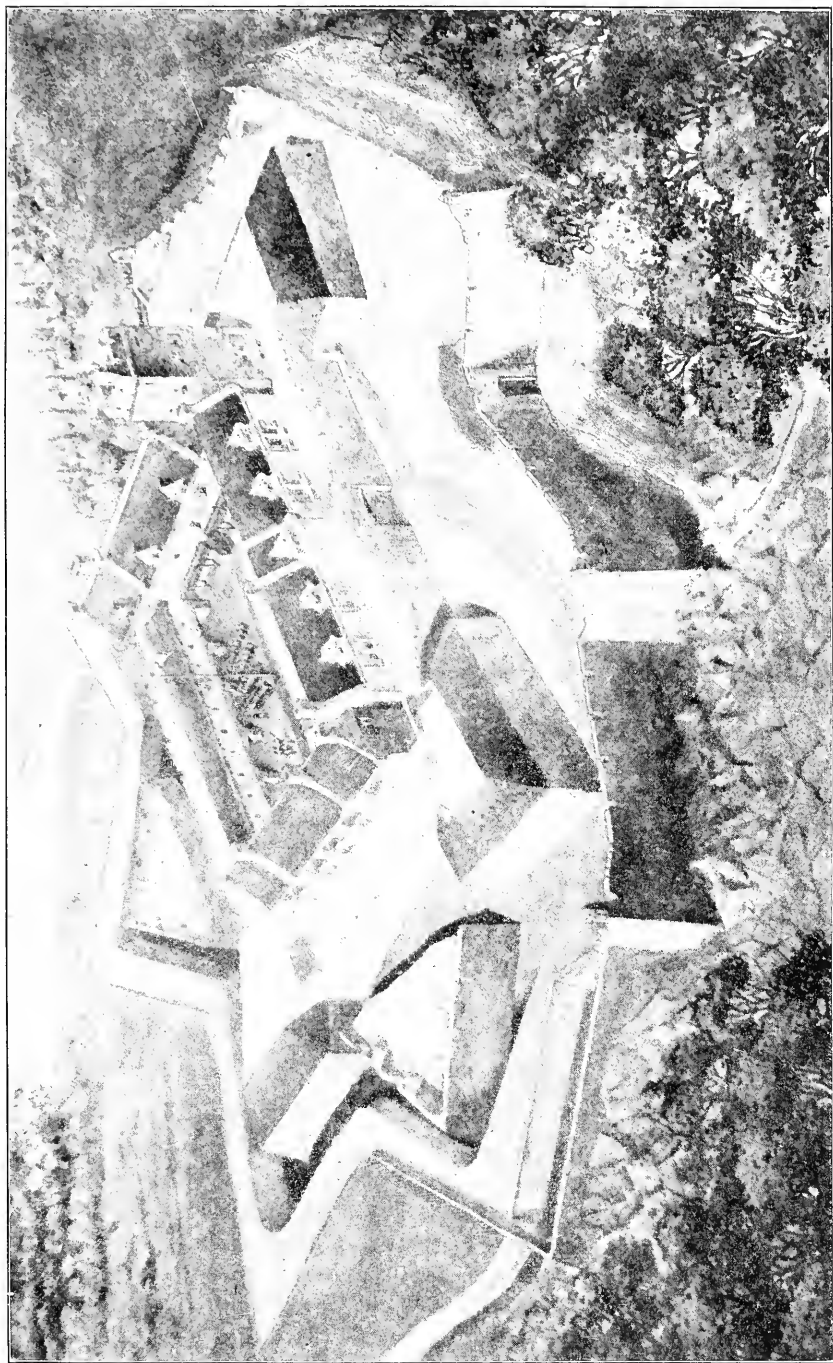
On June 6, 1775, to avoid a clash with the excited people, the British troops were embarked on the "Asia" for Boston. When Marinus Willett and his friends learned that the departing troops "were taking with them sundry carts loaded with chests filled with arms," they decided to capture "these spare arms." Willett stopped the carts and told the commanding officer that the Committee of 100 had not given its consent to remove any arms except those the soldiers carried. The crowd of citizens turned the carts out of the procession. The soldiers were harangued to desert and challenged to fight. A few deserted but the rest "embarked under the hisses of the citizens." Colden's report gives a slightly different version, charges the "violent outrage" to "a few desperate fellows," and says that the deputies of the Provincial Congress and the committeemen disapproved of the act because it tended to discredit their authority. Other guns and ammunition were sent aboard a "sloop of war" to circumvent their seizure by the patriots.

These incidents show that New York was not lagging behind the other colonies in taking measures that precipitated the Revolution. Colden protested to Mayor Hicks, who sent the letter to the Provincial Congress. That body on June 10th resolved that every person who had a gun or any equipment taken from the British troops should immediately deliver it to the mayor. Somewhat earlier than this occurred the seizure of a quantity of royal military stores at Turtle



Crown Point, Ruin of Northeast Barracks





Fort Ticonderoga as It Was during English Occupation

Bay. On the 25th the people gave General Washington a noisy and joyous welcome, while Governor Tryon who reached New York the same day received little notice. On December 15th, the Committee of 100 adopted rules for the night watch of the city and ordered the officers to obey the Provincial Congress. On February 2, 1776, the Provincial Committee of Safety recommended that the Committee of 100 be reduced to a Committee of 50 to enable it to act more expeditiously. The new body was chosen on February 8th for 6 months and twenty-one members constituted a quorum.

The Continental Congress on June 14, 1776, particularly urged New York "to make effectual provision for detecting, restraining and punishing disaffected and dangerous persons in that colony." The next day a "Committee to Detect Conspiracies" was appointed by the Provincial Congress. Rumors of Tory plots were rife, some of them involving the lives of Putnam, Washington and others. On June 22d warrants were issued against the Tories in New York City, and arrests followed, among them that of Mayor Mathews.

Meanwhile New York City was filling with Continental troops in anticipation of an attack. The British warships in the harbor kept the people in an agitated state of mind. The inhabitants were continually moving away. The public records were taken to a place of safety. Many houses, empty because of the flight of the people from the city, were used for barracks, and business was greatly disorganized. The city was put in a state of defense. The city committee was ordered by the Provincial Committee of Safety on April 4, 1776, to prepare barracks and stables for 12,000 soldiers. Among the buildings seized for troops was King's College.

With the creation of a regular constitutional government after 1777, the responsibilities of the committees decreased. Indeed the Legislature of the State was disposed to take the ground that the new government provided for by the Constitution of 1777 superseded the temporary committee system. The Council of Revision on February 20, 1777, asserted that the State Constitution recognized no committees, and that hence they had ceased. But so valuable had they proved to be as agencies of government that they were continued throughout most of the war. The Schenectady committee was operating in 1779. Their importance as a piece of revolutionary machinery can not be overestimated. They created public opinion and served as a channel through which it might flow; they carried on the propaganda that produced the war; they were the germ of republican government. Five kinds of committees came into existence: (1) those for a special emergency; (2) local committees; (3) committees of correspondence; (4) state com-



*Lord Morris*

mittees to carry on the work of government or some phase of it; and (5) the committees of the Legislature which were assigned some particular task and acted under law with a greater degree of caution.

The Continental Congress appreciated the usefulness of the committee system and sought to employ it to enforce the "association" and to accomplish other important matters. Since this system was in successful operation in the various colonies, it was felt that these agencies could best carry out the recommendations of the continental body. Congress also had its own special boards such as the Committee of Correspondence.

All the early committees reiterated and stressed their loyalty to the established imperial government. Later their loyalty was limited to the king alone. Finally it was restricted to their own revolutionary program. In fact from the outset the committee was an agent of revolution. As a rule a new group of men appeared in these committees — more democratic men who had not served on the provincial Council or in the Assembly but came directly from the people. Special pains were taken, likewise, to change the committees frequently by new elections. In this way the committees represented the growth in public opinion, reflected the people's will more directly, and accustomed a large number of persons to political responsibility. These committees were the most powerful democratizing agencies in the Revolution.

### III

#### THE PROVINCIAL CONGRESS

By May 1775 civil war between the American colonies and the British government had begun. Lexington, Concord, Ticonderoga and Crown Point told the story of an appeal to arms. Town, county, city and state committees, as representatives of the people, assumed the functions of government, took the initiative in opposing the objectionable acts of the British parliament, and gradually, perhaps more or less unconsciously, prepared the people for the Revolutionary War. Answering the suggestion of the New York City Committee of 51 for a Continental Congress, in seven colonies out of twelve, local committees chose delegates to the body that met in Philadelphia on September 5, 1774. The New York delegates were John Alsop, Simon Boerum, James Duane, William Floyd, John Haring, John Jay, Philip Livingston, Isaac Low and Henry Wisner. The sole purpose of that first national Congress was to uphold the American interpretation of the political relations of the various local governments to the imperial government.

The Assembly of New York held its last session on April 3, 1775. Controlled by the conservative Loyalists on February 17th, it had refused by a large vote both to approve the proceedings of the First Continental Congress and to appoint delegates to the second. It also voted against extending thanks to the merchants of New York City for their activities in protecting the rights of the people. An active and outspoken "virtuous minority" in the Assembly received the thanks of the freeholders of Westchester county for their attachment to the "rights and liberties of America." The Council of New York functioned very feebly after the adjournment of the Assembly on April 3, 1775, but it did meet intermittently in executive session on board the "Dutchess of Gordon" in the harbor and in New York City until May 26, 1783, when its last session seems to have been held.

Feeling that the emergency demanded the creation of a provincial legislature to carry out the will of the people in the struggle for their rights, the Committee of 60 of New York City advised the counties on March 1, 1775, to send deputies to a Provincial Convention for the election of delegates to the Second Continental Congress. As a result of this suggestion, "upwards of 100 members" from all parts of the province except Tryon, Gloucester, Cumberland and some districts in Queens counties attended the first revolutionary body acting for the



Wm. R. Livingston

colony by direction of the people. This Provincial Convention met April 20, 1775, at the Exchange in New York City. Philip Livingston was chosen president and John McKesson, secretary. The credentials of the deputies were carefully inspected. On the second day twelve delegates were appointed to go to Philadelphia and five of them were authorized to act as a quorum for "the preservation and reestablishment of American rights . . . and for the restoration of harmony between Great Britain and the Colonies." The minutes were signed by forty-one members. Having no other authority from the people, the Convention on April 22d adjourned. A Loyalist in a letter said that the buzzing "harmless insects" at last were making "a feeble essay to sting as well as make a noise." News of Lexington arrived the day after the Convention dissolved.

The Second Continental Congress, which met May 10, 1775, proceeded to organize an army and made George Washington its head. In that body New York added five new delegates — Philip Schuyler, George Clinton, Lewis Morris, Robert R. Livingston and Francis Lewis, — to those who served in the First Continental Congress. Troops were ordered to New York and the people of that colony were recommended to seize the crown officers.

A more permanent revolutionary body with power to assume all the functions of the government of the colony, to direct war operations, and to carry out the recommendations of the Continental Congress had also been proposed by the Committee of 60 of New York City in a letter of April 28, 1775, to the county committees. "Our common safety" was the justification for such a call. "The necessity of a perpetual union" being apparent to all, the people were urged to choose a "considerable" number of representatives to ask for "the united sense" of the province "in the present melancholy state of this continent." The next day the Committee formulated a "general association" in the name of the people of New York City to execute the recommendations of the Continental Congress and those to be made by the Provincial Congress in order to save "the rights and liberties of America" and to preserve "our Constitution." On May 1st it was reported that twenty-one representatives had been chosen by the people of New York City for the Provincial Congress, and other sections soon followed this example.

The Provincial Congress met in New York City, May 22, 1775, and, a majority having arrived by the next day, the Congress organized by electing Peter Van Brugh Livingston president and Volkert P. Douw vice president, also choosing two secretaries and a doorkeeper. Rules of procedure were adopted. The first motion passed was that "implicit obedience ought to be paid to every recommendation of the Continental



*A Hamilton*



Congress" reserving "the internal police of this Colony" for the determination of the Provincial Congress. The next question taken up was the important one of finance, on May 24th. The Provincial Congress ordered that it be announced in newspapers that the Provincial Congress would devise means to pay all bills incurred for the public cause." On May 26th it was voted to have all members of the Provincial Congress sign the general association and 3 days later every inhabitant of the colony was asked to sign it. The people of the colony were recommended to arm themselves and to drill in military companies. That was war.

Although the Provincial Congress was an extra-legal body yet it assumed the whole government of the colony, legislative and administrative, and sought to have the war carried on in an orderly manner. On June 3, 1775, it asked all the people to respect the recommendations of the congresses and in cases of doubt to ask for explanation. Tumults, riots and mobs for any reason or purpose were discouraged as a "high infraction of the general association" and as a reflection on the credit of the Congress. It discouraged unauthorized attacks on the British troops and the capture of crown stores. Those who were planning to take royal supplies at Turtle Bay were ordered to disperse. British ships were allowed to take on necessary food supplies. When a boat of the "Asia" was burned, the perpetrators were ordered to be punished and approval was given to build a new boat.

The people of Tryon county were urged on June 3d to send representatives to the Congress, and Guy Johnson was warned not to oppose the recommendations of the Continental and Provincial Congresses. The people of the metropolis were requested not to prevent the embarkation of the British troops. The early sessions were taken up with innumerable military preparations — raising troops, providing ammunition and guns, army supplies, food, and erecting fortifications. Connections with the Canadians were kept open. Many committees were appointed to particular tasks. Passes and passports were issued. The Loyalists were suppressed, and their efforts to aid the British were thwarted. An attempt was made to prevent the spread of smallpox by controlling inoculation. Pains were taken to hold the good will of the Indians. Home industries were encouraged and wool was protected by an order against killing lambs. The election of delegates to the Second Continental Congress by the Provincial Convention was approved.

Meanwhile the war presented the Provincial Congress with some difficult problems. New York went on record as ready to "assist in the general defense of the empire" and as willing to permit a Continental



John Jay  
Painting by Joseph Wright, 1786  
(Courtesy New York Historical Society)

Congress and a representative of the crown to determine the colonial share of the burden. Absolute independence in religious matters was voted. A committee on a "plan of accommodation" with England reported on June 27, 1775, that while "Britain ought to regulate the trade of the whole Empire," the powers of taxation ought to be confined to each colony. Hence the objectionable statutes of parliament should be repealed. Moneys raised as duties on trade ought to remain in the treasury of each colony and be subject to disposal by the Assembly, whose term should not exceed 3 years. The export of bread, flour, beef and pork was forbidden. Lock and gunsmiths were to be brought from Great Britain by order of the Provincial Congress. On July 5, 1775, it was voted not to permit any civic body to send an address to Governor Tryon. The New York City Common Council explained the situation to Governor Tryon and he asked permission of the home government to return to England.

When the Provincial Congress adjourned on July 8, 1775, a Committee of Safety, representing each section of the province, was appointed to act *ad interim*. Its task was chiefly to keep the military machine working and to suppress the "inimical." This committee sat until July 25th.

The Provincial Congress reconvened July 26, 1775, and sat until September 2d. The acts of the Committee of Safety, which served during the brief recess, were approved. Ebenezer Hazard was recommended to the Continental Congress for appointment as postmaster in New York City. The local committees were given more specific instructions about the treatment of Loyalists and an effort was made to protect both their persons and property from injury. As a rule, at this period of the Revolution, the Loyalists in New York were asked merely to promise on honor to abstain from injuring the patriot cause. When General Washington reported that a ship taking on provisions at New York, ostensibly for the West Indies, delivered them to the British troops at Boston, the Provincial Congress ordered an investigation and forbade the exportation of poultry and all livestock except horses. Wheat, flour and lumber might on request be exported provided the ship's officers took an oath that the articles would be carried to the destination named. To prevent secrets reaching the enemy, members were required on August 23d to take an oath not to divulge the proceedings. By August 26th business was so heavy that the Provincial Congress voted to meet daily except Sundays.

When the Provincial Congress ordered cannon at Fort George to be removed, the British warship "Asia" on August 23d opened fire on the American troops. The militiamen returned the fire. A British

soldier was killed, several were wounded, and a few buildings in the city were injured. Quiet was soon restored, and British ships were permitted to purchase necessities. On the last day of the session of the Provincial Congress, September 2d, Augustus van Cortlandt, city and county clerk, was asked to locate a safe place to which the public records might be removed. After naming a new Committee of Safety the Provincial Congress adjourned to October 2, 1775. Van Cortlandt reported that he had already put the records in chests in a vault in his garden and that in case of an attack on the city he would remove them to Yonkers. This was satisfactory to the Committee of Safety.

The problem of handling pacifists like the Quakers came up for adjustment early in the war and was managed in a sensible manner. On September 7th those in the county of New York were requested to hand in a list of all males between 16 and 60 years of age. Governor Tryon announced through Mayor Hicks that any further arming or fortifying or seizure of crown stores would be the occasion for declaring the community in a state of rebellion. The Committee of Safety paid no attention to this warning, but went right on with military preparations. Feeling unsafe on land, Governor Tryon went on board a ship in the harbor on October 13th. The Provincial Congress, believing that "for the sake of liberty" the representatives of the people should serve for short terms, resolved that it should be dissolved on November 14th and be replaced by a new body. On November 3d the committee of New York City nominated twenty-one representatives and at a general election four days later all but three were elected.

A good illustration of how upstate committee elections were held is shown in the Minutes of Schenectady and Albany county. On November 1, 1775, the Schenectady committee ordered an election of twelve representatives to the Provincial Congress and ten new committeemen, and they were chosen within a week. Governor Tryon, who had some idea of having a new Assembly chosen, authorized the Loyalist sheriff of Tryon county to hold an election in January 1776 but without result.

On November 23, 1775, occurred an incident that created an uproar in New York City. The Connecticut patriots raided Rivington's printing press and carried off the type. The city committee denounced the act as a breach of the "association." Isaac Sears and others were summoned for abetting the invasion. John Jay disapproved of the raid and advised the second Provincial Congress to save its reputation by taking a firm but prudent course. Of course the Gazette had to suspend publication, but it was resumed under the British in 1777.



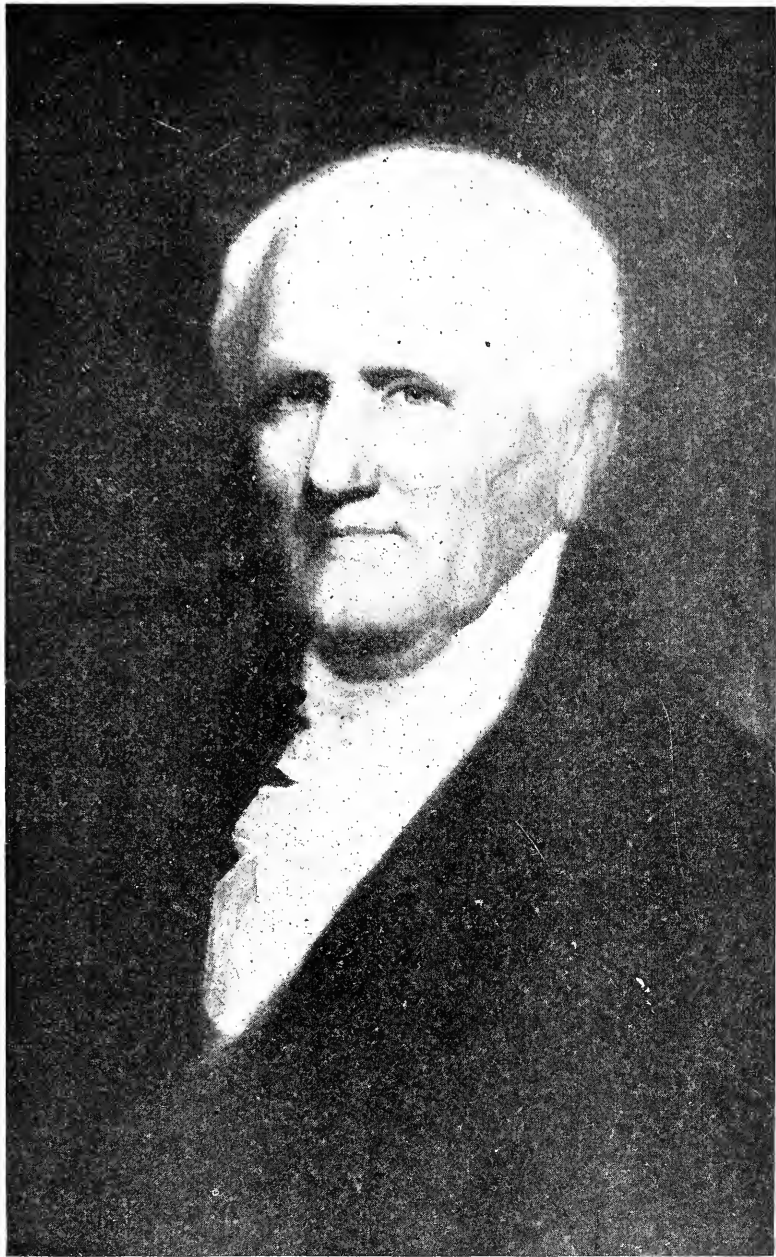
Henry Knox

The Provincial Congress on December 12th sent a letter of protest to the governor of Connecticut and reported the invasion to the Continental Congress. Not until June 10, 1776, did Governor Trumbull reply, and then he said the raid had been planned by Isaac Sears of New York. Rivington went to England and the matter was dropped.

On December 6, 1775, Governor Tryon took on board the "Duchess of Gordon" twenty-five folio volumes of records of the colony of New York. The Provincial Congress, in reply to Tryon's address appealing for peace, declared on December 14th that the revolt was not due to "a desire to become independent of the British crown" nor to a want of attachment to George III, but solely to the "oppressive acts of the British parliament." Intercourse with the royal ships was forbidden and persons from other colonies were required to carry certificates of identification. The king was convinced that the colonists were determined to establish "an American empire." The publication of Paine's "Common Sense" on January 9, 1776, and its enthusiastic reception seemed to show that George III had guessed right. The frantic efforts of New York to obstruct the Hudson and to fortify the city of New York pointed in that direction. The order of the Continental Congress to disarm all persons "notoriously disaffected" was executed in New York City during the spring of 1776. Soon the metropolis was an armed camp and interest shifted from the legislative hall to the battlefield. The civilians were in a state of confusion. Prices were soaring. Washington arrived on April 13, 1776, to take command.

The Provincial Congress on May 31, 1776, seemed to feel that it had come into existence merely to oppose the "usurpation of the British parliament" and that it would cease to act when a "reconciliation" resulted. It doubted whether the people had given it power to create a government independent of the old one. Therefore, it recommended the electors either to return their representatives or to select new ones with authority to create a "new government" to secure the "rights, liberties and happiness of the good people of this colony." The committee of each county was to determine the time and place of election. On June 11th the New York delegates at Philadelphia were informed that they were not authorized to commit New York to independence. On June 30, 1776, the Provincial Congress adjourned to meet at White Plains on July 2d and ordered that the newly elected body should meet at the same place on July 8th.

This was the end of that revolutionary body which tided over the government of New York during its transition from a colony to a state. The Provincial Congress usurped the functions of the Assembly



Egbert Benson  
Painted from life in 1807 by Gilbert Stuart  
*(Courtesy New York Historical Society)*

but it refused to create a state government as recommended by the Second Continental Congress. Perhaps it was a wise move to refer that grave step to the people. The Provincial Congress twice authorized by the citizens to act for them followed a sensible course and deserves more praise than has been accorded to it. Among its members were men of much ability whose names were conspicuous in state and national annals in the trying decades ahead—the Clintons, Livingstons, Yateses, Van Cortlandts, Morrisses, Jay, Duane, Schuyler, Willett, Scott, McDougall and Hobart. Hamilton and Burr were not members.



Thomas Paine



## IV

### NEW YORK'S DECLARATION OF INDEPENDENCE

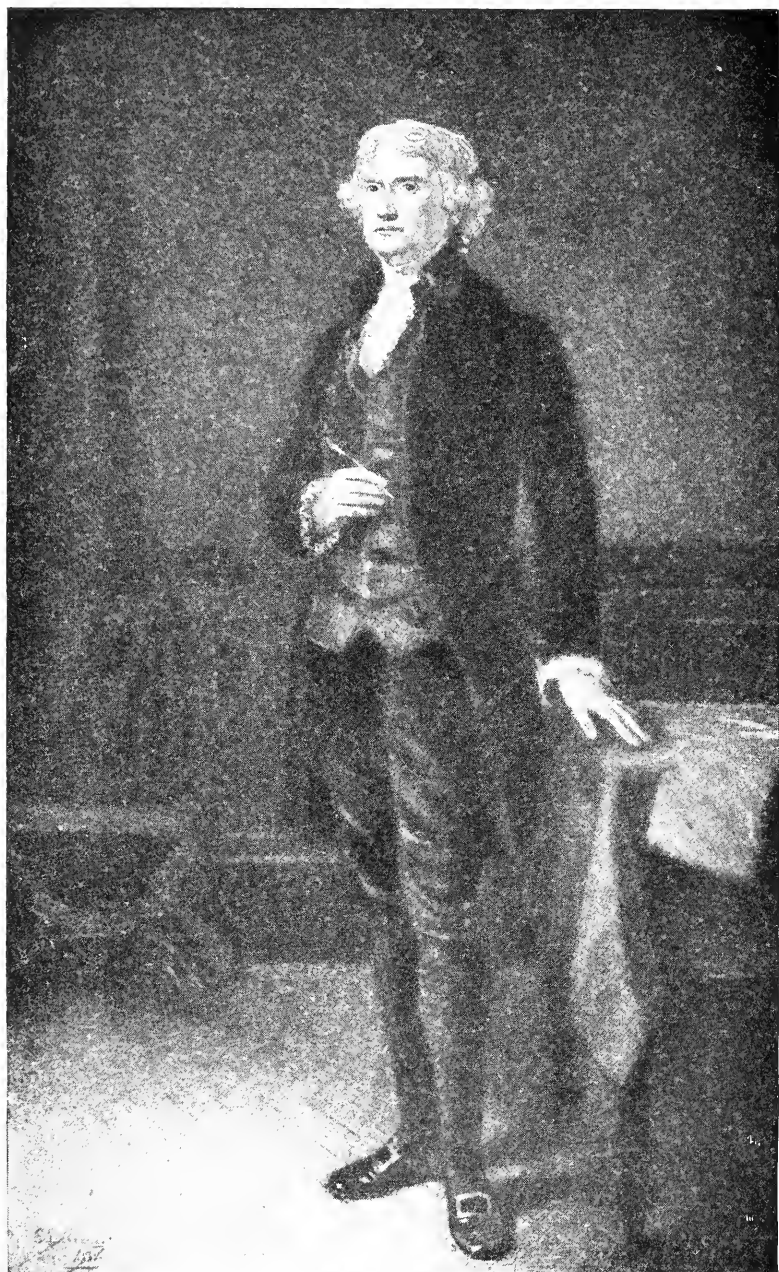
At no time in the colonial history of New York before the close of the year 1775 was total independence generally desired. The charge that the colony wished political separation from the motherland was resented and denied publicly and privately on all occasions and by all classes and parties. Nevertheless, paralleling these protestations of loyalty, there was a positive, though more or less unconscious, movement in favor of virtual if not actual independence. The conditions under which a new state might be formed were rapidly maturing. Race, geography, environment, history, industry and institutional life were forces at work to give birth to a new national state sooner or later. That the movement culminated in 1776 was largely an accident; for it might have been postponed a generation or even a century.

The Revolution was the inevitable result of certain forces already discussed.<sup>1</sup> At the outset there was no intent to overthrow the established social order, nor to subvert the government of the British Empire. Whigs and Loyalists alike wanted self-government, self-taxation and direct representation within the empire, and professed to stand for their old and recognized rights as men and as Englishmen under the British constitution, which they believed a blind parliament and an obstinate ministry were violating. When the dispute was carried from the legislative hall and the committee room to the battlefield, the sentiment for a Declaration of Independence in the winter of 1775-76 began to gain momentum. The Loyalists, however, branded it as revolutionary, treasonable, a betrayal of previous protests and the worst possible blunder. The General Assembly of New York up to its last session on April 3, 1775, remained loyal and asserted again and again with increasing emphasis that a total disruption of political ties was not sought. As late as October 22, 1775, the king was publicly prayed for in the Continental Army.

It is equally true that all declarations of the Revolutionary bodies—the committees of safety and Provincial Congresses—made up largely of Whigs, until the forepart of 1776 favored reconciliation and opposed a dissolution of the empire. On January 9, 1776, the Committee of Safety, acting during the recess of the Provincial Congress, in an open letter to the “inhabitants of the colony,” reiterated

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<sup>1</sup> See pages 9-25.



Thomas Jefferson

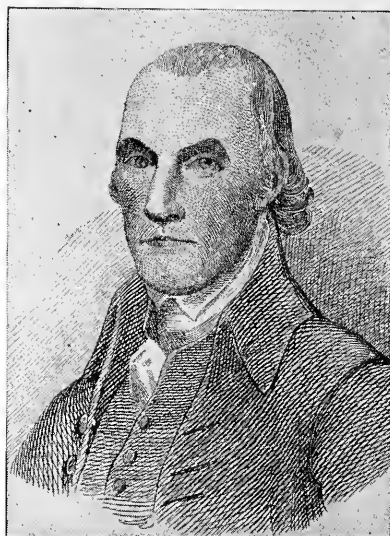
the desire for an "accommodation" with Great Britain. The Provincial Congress on January 12, 1776, wrote to the merchants of Quebec: "We should be extremely sorry should any misrepresentations of the enemies of America impress our brethren in Canada with an opinion that the Confederated Colonies on the continent aim at independence." This attitude in New York is not surprising when one remembers that Samuel Adams reported on January 15, 1776, that a motion to appoint a committee in the Continental Congress to answer the charge that Congress was aiming at independence was defeated with great difficulty. On February 13, 1776, in an address to the people, that same body said: "We are accused of carrying on the war for the purpose of establishing an independent Empire. We disavow the Intention. We declare that what we aim at and what we are entrusted by you to pursue is the Defense and Re-establishment of the Constitutional Rights of the Colonies."

Indeed, even after the Declaration of Independence was issued, many persons regarded it as merely a coercive measure to obtain a victory for the program of self-government within the empire rather than an irretrievable withdrawal from it. The staunchest supporters of complete separation were slow in coming to that decision. The Whig movement in New York, like that of the Loyalist, was one long denial of the intent or wish for independence. Repeatedly and vehemently the Whigs solemnly affirmed that they were fighting only a wicked and unconstitutional ministerial program to obtain their constitutional rights, and that it was calumny to charge them with a plan to set up a new state.

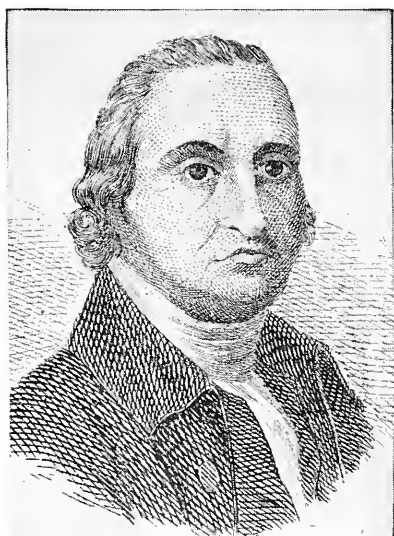
John Jay wrote a pamphlet on "Congress and Independence," in which he took great pains to prove that Congress was not aiming at separation and to show that expressions of reconciliation were written all over its records. In 1821 he wrote: "Until the second petition of Congress in 1775, I never did hear an American of any class, of any description, express a wish for the independence of the colonies. It has always been and still is, in my opinion and belief, that our country was prompted and impelled to independence by necessity and not by choice." "The Continental Congress," wrote a New York Whig on April 6, 1776, "have never lisped the least desire for independence or republicanism; all their publications breathe another spirit, and in their justice, wisdom and virtue I can freely confide for a restoration of peace and tranquillity upon just and honorable conditions." "I do not learn that a word has been said in our Convention upon the subject of a Declaration of Independence," wrote another man from New York City; May 31, 1776, "but a new



Philip Livingston



William Floyd



Francis Lewis



Lewis Morris

New York State Signers of the Declaration of Independence

Philip Livingston, from engraving in State Library; William Floyd, Francis Lewis and Lewis Morris, from Brotherhead's edition of Sanderson's Biography of the Signers

mode of Government has been talked of." Yet on July 10, 1775, a Londoner wrote to a friend in New York, "The present struggle between this country and North America, I have heard old people 50 years ago predict."

In New York during the spring and early summer of 1776, two sets of influence were converging toward independence:

1 The ardent Sons of Liberty, from the Stamp Act troubles onward, advocated separation from Great Britain. As late as 1774 they stood alone in this attitude in the colony of New York. Their influence touched the laborers and the skilled workmen who had all to gain and nothing to lose by such a change. Their prominent leaders were Alexander McDougall, Isaac Sears, John Morin Scott and John Lamb.



Sir William Howe

This small but active minority gained many recruits after the outbreak of hostilities in 1775 began to influence some men's minds. They were powerfully aided by men like Samuel Adams and Patrick Henry in other colonies. On May 27, 1776, the Provincial Congress virtually declared its independence by resolving that the colonial government was dissolved and that the people had the right to form a new state government.

On June 4, 1776, Lewis Thibou, representing a "committee of mechanics" presented an "address" to the Provincial Congress. The paper stated that "if this Congress should think proper to instruct their delegates in Continental Congress to use their utmost endeavors in that august assembly to cause these united colonies to become in-



Richard Lord Howe

dependent of Great Britain, it would give them the highest satisfaction." Jedidiah Huntington on June 6, 1776, from New York City wrote Governor Trumbull: "The mechanicks of the city have voted independence; it is expected the new Congress will follow suit."

The Provincial Congress replied that the Continental Congress alone had power to act "for the general welfare" and refused to send any "instructions" until Congress had acted. They would abide by "whatever a majority of that august body shall think needful." This rather ambiguous answer called forth a long letter from "The Mechanics in Union" of New York City and county on June 14th, in which they still insisted upon instructions being given to the New York delegates at Philadelphia to vote for "a new form of government" but asserted that the people had a divine right to approve it. How widely the idea of a new state had spread among the common people is indicated fairly well by this incident.

2 Not a few of the prominent New York Whigs by 1776 had come to the conviction that an act of separation under the circumstances, was desirable and began to preach it on all sides. Their motives varied from the purest patriotism to selfishness. Chief among those who urged the wisdom of separation either before or immediately after July 4, 1776, were John Jay, Gouverneur Morris, Robert R. Livingston, Philip Schuyler, Nathaniel Woodhull, Alexander Hamilton, George Clinton and James Duane. Well organized in the Provincial Congress, in control of the civil and military resources of the colony, with the great number of the Loyalists silent and inactive, these Whigs gradually led New York into the ranks of the independents.

The appearance of Paine's "Common Sense" in January 1776 powerfully aided the agitation for independence. It professed to appeal to reason, truth, fair play and man's rights; it rang the changes on liberty, freedom, property, natural rights and taxation without representation; it denounced tyranny, kings, monarchy, arbitrary laws and a despotic parliament. It was the earliest clear-cut, out and out plea for American independence. It fitted the hour, the place and the souls of the people. To thousands it was a stirring gospel which helped to change the history of the world. Washington observed that "it made Tories Whigs, and washed blackgamons white." On March 22, 1776, a New York man wrote "A pamphlet called Common Sense has carried off its thousands." When a reply to it appeared, it was seized in the printers' shop and burned in the street as unfit to be read at that time. "There is great talk of independence and the unthinking multitude are mad for it," wrote a British sympathizer. Another New York correspondent observed on April 12, 1776, that "A pamphlet entitled



Tablet to Margaret Corbin on grounds at West Point Academy

(Courtesy D. A. R. Magazine)



Common Sense has converted thousands to independents, that could not endure the idea before." Appearing at a time when public opinion was ripe for it, this pamphlet precipitated an intense popular discussion which, together with other factors, led a majority of the American people to move quickly along the hopeful but uncertain path of separation.

In the early summer of 1776 some of the colonies began to instruct their delegates in the Continental Congress to vote for independence. Such a resolution passed by the Virginia convention on May 15, 1776, was sent to the New York Provincial Congress with the hope expressed that it would elicit favorable action there. Although four colonies had by that time come out openly for separation, New York merely thanked Virginia for the courtesy and promised that the suggestion would be duly considered.

The New York Provincial Congress was informed on June 8, 1776, by its representatives at Philadelphia that "Some of us consider ourselves as bound by our instructions not to vote on the question of independence" which "will very shortly be agitated in Congress," and begged for advice. The day before that letter was written, namely on June 7, 1776, a resolution "that these United Colonies are and of right ought to be free and independent States" was introduced in the Continental Congress. The proposal was discussed for 3 days after which on June 10th a committee was appointed to draft a Declaration of Independence to be considered on July 1st. Robert R. Livingston of New York was a member of that committee.<sup>1</sup> The postponement was made because "New York, New Jersey, Pennsylvania, Maryland and South Carolina were not yet matured for falling from the parent stem, but were fast advancing to that state." On June 28th the committee brought in the "first draft" which was taken up for discussion on July 1st. The problem submitted to the New York Provincial Congress by its representatives at Philadelphia was carefully considered on June 10th. The next day on the motion of John Jay it was "resolved unanimously, that the good people of this colony have not, in the opinion of this Congress, authorized this Congress, or the Delegates of this Colony in the Continental Congress, to declare this Colony to be and continue independent of the Crown of Great Britain." At the same time the people were "earnestly recommended" to elect representatives to a new Provincial Congress which should have "full power to deliberate and determine on every question whatever and execute every act and measure . . . conducive to the happiness, security and welfare of this colony."

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<sup>1</sup>Jefferson, John Adams, Franklin and Sherman were named with Livingston on June 11th.

John Jay wrote the reply to the New York delegates at Philadelphia on June 11th, in which he said that the Provincial Congress "are unanimously of opinion that you are not authorized by your instructions to give the sense of this Colony on the question of declaring it to be, and continue, an independent state." Moreover, "This Congress think it would be imprudent to require the sentiments of the people relative to the question of Independence, lest it should create division, and have an unhappy influence." The New York delegates acknowledged receipt of the communication and said "we shall be careful to regulate our future conduct" by it. As a result of this situation, the delegates of New York as a unit uniformly and consistently refrained from voting for measures aiming at independence.

On July 2, 1776, while the Declaration of Independence was being discussed in the committee of the whole in Congress, the New York delegates again appealed to their home colony for instructions. They said that there was little doubt of the passage of the Declaration of Independence; that New York alone was uninstructed on the question, and wanted to know what they should do "after this event takes place." They complained that "our situation is singular and delicate," and begged for the "earliest advice" as to how to proceed. The Provincial Congress had adjourned on June 30, 1776, and did not reassemble, thus deferring this problem to the newly elected Provincial Congress which convened at White Plains on July 9th. After thorough discussion in the Continental Congress the Declaration of Independence was adopted on July 4th, and ordered printed and sent to all the colonial legislatures and to the commanding officers of continental troops to be "proclaimed in each of the United States and at the head of the army." The New York delegates cast no vote on July 4th but some of the delegates hastened home to urge the adoption of the Declaration.

There has been a persistent tradition that Henry Wisner and George Clinton voted for the Declaration of Independence on July 4, 1776. In the case of Clinton the tradition seems to lack substantiation from the contemporary records. The claim for Wisner has a better foundation. Judge Thomas McKean of Delaware, who was present on July 4th, and himself voted for independence, in a letter to A. J. Dallas dated September 26, 1796, 20 years after the event, asserted that Wisner "voted" for separation. In three subsequent letters he made the same statement. It is not impossible that when the roll was called Wisner expressed himself in favor of the Declaration, but since the other New York delegates, in obedience to their instructions, refrained from voting, Wisner's "vote," if given, was not counted be-

cause the colonies voted as a unit. Technically there were no individual votes. If he did cast his "vote" for independence, it was clearly against his instructions from the New York Provincial Congress. Such open disregard of his orders would have provoked some comment, probably, either from his colleagues or from the Provincial Congress, but no reference to his alleged "vote" appears in any of the records.

After organizing on July 9, 1776, the Provincial Congress immediately listened to the reading of two letters, one dated July 2d and the other presumably July 5th or 6th. In the latter was inclosed a copy of the Declaration of Independence signed by John Hancock, president, and attested by Charles Thomson, secretary. Only ten counties were represented—the deputies of Gloucester, Kings, Richmond and Westchester counties not having arrived. The occasion was one of great solemnity and of vital significance to the province. Apparently without debate the letter and the Declaration were "referred to a committee, to consist of Mr Jay, Mr Yates, Mr Hobart, Mr Brasher and Mr Wm. Smith," which reported on the afternoon of the same day:

1 That the reasons assigned for the Declaration are "cogent and conclusive; and that while we lament the cruel necessity which has rendered that measure unavoidable, we approve the same, and will, at the risk of our lives and fortunes, join with the other colonies in supporting it."

2 That a copy of the Declaration and the resolution "be sent to the chairman of the committee of the county of Westchester with orders to publish the same with beat of drum at this place" on July 11th and to have it "published with all convenient speed in the several districts within the said county."

3 That 500 copies of the Declaration and these resolutions be printed in handbills and sent forthwith to all the county committees of the State with orders to publish it in the districts.

4 That the New York delegates at Philadelphia be authorized to vote for "all such measures as they may deem conducive to the happiness and welfare of the United States of America."

The report was unanimously adopted. By this action New York aligned herself with her twelve sister colonies and made the Declaration of Independence unanimous. Messengers were sent through the colony to publish the Declaration and resolutions. Also a swift messenger was sent to the New York delegates at Philadelphia empowering them to vote for the people of an independent state. The

Thirteen Colonies were now transformed into the United States. A new nation unfurled its flag to the world.

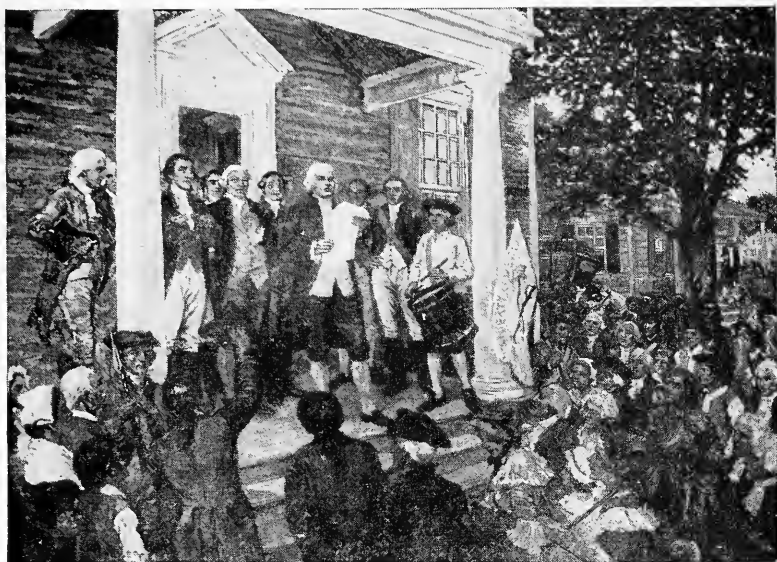
Conscious of the new political status which the province had attained by the ratification of the Declaration of Independence, the deputies on July 10th voted unanimously "That the style or title of this House be changed from that of the Provincial Congress of the Colony of New York to that of the Convention of the Representatives of the State of New York." The next day a letter from John Hancock dated July 6th, inclosing the Declaration was "read and filed." In a reply, drafted on the same day, Hancock was told that his request to have the Declaration proclaimed had been anticipated by 2 days. At the same time the suggestion was made that the Book of Common Prayer be so modified as to eliminate "all such prayers as interfere with the American cause."

On July 9th the Declaration of Independence was read to each brigade of the troops in New York City and vicinity on their several parades "by order of Gen. Washington." The announcement of the birth of a new nation was not accompanied by the booming of guns and fervid oratory. There was no powder to spare for such a noise. The troops were not dressed up for a fine parade, for they lacked such uniforms. And the situation was too serious for much oratory. The general order of Washington concluded with these words: "The General hopes this important event will serve as a fresh incentive to every officer and soldier to act with fidelity and courage, as knowing that now the peace and safety of his country depends (under God) solely on the success of our arms, and that he is now in the service of a State possessed of sufficient power to reward his merit and advance him to the highest honours of a free country." The proclamation of independence in and about New York City was received with demonstrations of delight, ringing of bells and jubilant shouts.

On the night of the 9th the new enthusiasm produced by the issuance of the Declaration expressed itself in a demonstration. The gilded leaden equestrian statue of George III was dragged from its base in the Bowling Green. Later, parts of it were molded into patriotic bullets in Connecticut. Washington mildly rebuked the troops for this act, and while appreciating the motive, ordered that for the "future these things shall be avoided by the soldiery." Captain John Montrossor, chief engineer of the British army in America, recovered the mutilated head of the king and sent it to Lord Townshend "in order to convince them at home of the infamous disposition of the ungrateful people of this

distressed country.”<sup>1</sup> Thus the military celebration of the Declaration antedated its formal promulgation to the people of the State.

The Committee of Safety ordered “That at 12 o'clock on Thursday, the 18th inst. at the City Hall, in this city, the aforesaid Declaration be published, when and where it is hoped every true friend to the rights and Liberties of this country will not fail to attend.” Hence the “Declaration was read at the City Hall, July 18, 1776, to a numerous and respectable body of the freeholders and principal inhabitants of



Reading the Declaration of Independence at White Plains, July 11, 1776

*(Courtesy Westchester Title and Trust Company)*

this city and county and was received with general applause and heartfelt satisfaction; and at the same time our late King's Coat of Arms was brought from the Hall, where his courts were formerly held, and burned amidst the acclamation of thousands of spectators.”

A good example of how the news about the Declaration of Independence was carried over the State is supplied in the records of the Albany County Committee. The minutes for July 17, 1776, give this entry: “Received a Letter from Abraham Yates Jun<sup>r</sup> Rob<sup>t</sup>. Yates and Matthew Adgate dated White Plains 14<sup>th</sup> Instant, inclosing the Declara-

<sup>1</sup> The stone slab on which the statue stood was taken to Powles Hook in 1783. Later it served as a marker for the grave of Major John Smith of the 42d Highlanders, and still later as a doorstep of Cornelius Van Vorst of Jersey City. It is now in the possession of the New York Historical Society together with the tail of the horse and part of the saddle. The white marble pedestal was removed from Bowling Green in 1818.

tion of the United States of America, declaring the said United States free and Independent, also the Resolution of the Representatives of the State of New York."

The next day it was "Resolved That the Declaration of Independence be published and declared in this City to morrow at Eleven OClock at this place, and that Coll<sup>o</sup>. Van Schaick be requested to order the Continental Troops in this City to appear under Arms at the place aforesaid and Farther that the Captains of the several Militia Company's in this City be requested to Warn the Persons belonging to their respective Companies to appear at the place aforesaid and for the purpose aforesaid."

On July 19, 1776, "Pursuant to a Resolution of Yesterday the Declaration of Independency was this Day read and published at the City Hall to a large Concourse of the Inhabitants of this City, and the Continental Troops in this City and received with applause and satisfaction."

The records are lacking for other villages and towns, and the country districts of the State, but there can be little doubt that these communities followed the example of New York City, White Plains and Albany, and that the military officers outside the region of the metropolis carried out Washington's orders when they were received.

The Continental Congress on July 19, 1776, ordered the Declaration of Independence "engraved on parchment" and signed. The signatures were affixed on August 2d and later. The document bore the names of four New Yorkers — William Floyd, Francis Lewis, Philip Livingston and Lewis Morris.

The New York Provincial Convention on March 6, 1777, received a letter from John Hancock dated Baltimore, January 31, 1777, inclosing a copy of the Declaration of Independence with the names of all the signers and a resolution that the same be put on record and preserved in the state archives. It was printed in the records of that body.

The Declaration of Independence gave finality to the Revolution. It forced every American to take a stand. Either he must acknowledge himself a Loyalist and hence a champion of oppression and tyranny and a traitor to the United States, or else he must join his fellow countrymen for a new order. No man was permitted to remain neutral. John Alsop, a New York delegate to the Continental Congress, believed that a door should be "left open for a reconciliation with Great Britain." Now that the "Declaration closed the door," he resigned his seat on July 16th. "The Tories dread a Declaration of Independence . . . more than death itself," wrote a Whig. Now there could be no compromise, for force and not logic must decide. The

unity of the British Empire was the supreme issue. After July 4, 1776, the Loyalists, as they called themselves, or Tories as they were designated by the revolutionists, were outcasts from their own homes and outlawed as traitors by the State. If true to their convictions, no other course was open to them than to pray and to work for the defeat of the patriots and the victory of imperial arms. Thousands of them joined the British army to wage war on their former neighbors and kinsmen. Other thousands suffered in prison or lived hated and suspected under parole. Still other thousands fled as exiles to Nova Scotia, Newfoundland, Canada, the Bahama Islands and Great Britain. Their property was confiscated by the new State, and, although partially repaid by the British government for their losses, they had to begin life anew in a strange land. The Loyalists of New York constituted approximately half of the population of the State. Many of them made the best of the situation, conformed to the new political order and in time became good citizens of the State.

The Declaration of Independence instilled a new spirit in the hearts of the patriots. It is true that now they had to fight their former neighbors and relatives as well as the British troops and hired soldiers from the continent, but they had a goal worthy of their best endeavors. Defeat meant punishment and retaliation together with the loss of the American cause. Military victory alone could win for them the triumph of the liberties, principles and free institutions for which Americans had been contending for years. Consequently civilians and soldiers alike were now imbued with a new vision and a greater determination to win. Hardships incident to war were more readily endured by all classes.

A new social and political order began to emerge. The poorer class gained many advantages. Landless tenants bought the lands confiscated from the rich Tory landlords. The right to vote was extended to thousands who had never enjoyed the privilege, and a new set of leaders came to the front in all parts of the State. Out of the chaotic transition period of rule by committees and congresses gradually arose orderly government. The people were now free to draw up a constitution of their own choice and to organize a government through which they could make their own laws.

Phil<sup>a</sup>. 30 Aug<sup>r</sup>. 1776

Mrs Abn. Yates M<sup>r</sup>

S<sup>r</sup>

Your favour dat<sup>d</sup>. "The 25<sup>th</sup>" came to hand by the post who returned before we had any opportunity to apply to Congress as you desired. The application was immediately agreed to, and their Resolves to employ the Blacksmiths who are now engaged in building the frigates for the purpose of ~~constructing~~ the navigation of Hudson's river, is here enclosed. We wish much to hear from you what is done in that affair and what more is proposed to be done. The advice from New York respecting the attack of the British troops on our army on Long Island are very various and uncertain - We could wish to hear from you as often as possible - Many particulars that deeply concern us as members of the State and are more interesting than now than ever we are now informed of - We know you are much engaged in affairs of the greatest moment. but perhaps one of you sometimes may find time to drop us a few lines every day or two. A considerable number of troops have since Tuesday marched from hence to Albany say about three thousand and as many more will probably be dispatched in one week more.

Y<sup>r</sup> most obed<sup>t</sup> serv<sup>t</sup>.

Phil. Livingston



New York Senate room Feb 9<sup>th</sup> 1844

My Dear Sir

Agreeable to promise I have paid the order you left  
 with Mr Ab<sup>l</sup> Wrinchesheff, of Forty Guineas, you may depend I paid with  
 pleasure, and now give me leave over again to thank you and all the  
 family for their particular attention to my good Boy, and I hold  
 myself in some measure indebted to you for his goodness, owing to your  
 timely and proper advice, and his friendly disposition is such, that I am sure  
 he ever will hold it <sup>in</sup> remembrance to all your good family while he lives.  
 I had a letter from him the other day, in which he begged of me whenever  
 I should write to you to remember him to your family in a most affectionate  
 manner ~~from~~ — and I cannot help telling you that he has a most  
 excellent character, of being a close student, and a virtuous young man;  
 I know your family will excuse me for saying so much about my child  
 as I am sure they love him — hence we have none, the Alien Bill came  
 on a few days ago in this house, and after a small debate it left and  
 dismissed, to the great <sup>joy</sup> satisfaction of our old friend Mr Rogers, he and  
 his family were well the night before last — Wood has got to a most  
 enormous price, out to 47 Dollars <sup>or so</sup> but the harbour close and no com-  
 munication with the sea — Make my best regards acceptable to your  
 wife and family and believe me to be

Yours sincere friend  
 and Most Obedient Servant

Lewis Morris

Judge Wynthrop



## V

### GOVERNMENT UNDER THE FIRST STATE CONSTITUTION OF 1777

In the year 1774, as the dispute with the British government became more and more acute, there began that interesting transition from colonial to state government. The first step was the creation of extra-legal bodies called committees, which gradually assumed all political authority. They started as committees of correspondence to receive and to convey ideas about their common concerns both within and without the colony. Then they assumed the authority to protect their rights and became committees of safety. Finally they usurped the functions of the local colonial officials and were transformed into revolutionary bodies. In the city of Albany, for instance, the common council was replaced by a revolutionary committee from March 25, 1776 to April 17, 1778. When in 1774 the First Continental Congress recommended that each town, city and county form a committee, these bodies seemed to have a legal standing.

In New York, from 1775 until the first State Legislature met late in 1777, these local committees were supplemented by revolutionary bodies known, according to their character and function, as conventions, congresses and committees or councils of safety. The conventions and congresses were chosen directly by the people and assumed all the functions of government after the old colonial Assembly held its last meeting on April 3, 1775, and Governor Tryon, by his flight to a British war ship about the middle of October, was assumed to have abdicated. The committees of safety were chosen by the Convention or Congress to act for it during periods of adjournment or lack of a quorum, and thus only indirectly represented the people of the State. The Council of Safety chosen for the first time by the Convention on May 3, 1777, was regarded as a "temporary form of government." It consisted of fifteen members and chose its own president, secretaries and doorkeeper, as the Congress or Convention did, and governed the State until the State Legislature met.

On May 10, 1776, before the Declaration of Independence was adopted, the Continental Congress recommended "the respective assemblies and conventions of the United Colonies . . . to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in



George Clinton

particular, and America in general." A preamble was added on May 15th, and the resolution was ordered published.

The temporary patriot government by committees, conventions, congresses and councils, which emerged with the approbation of the revolutionary party, was far from satisfactory but, in the emergency, it served with a fair degree of success and formed a bridge for the transition from the status of a dependent colony to that of an independent state. It was therefore with some eagerness that on May 24, 1776, the Provincial Congress took up the recommendations of the Continental Congress for erecting new state governments and heard Gouverneur Morris deliver "a long argument . . . showing the necessity of the measure." He then moved the appointment of a committee to outline a plan "for the choosing of persons to frame a government" for the State. Having some doubt as to their "power to form a government," members of the Provincial Congress, after a serious debate, finally appointed a committee to report. This committee, composed of John Morin Scott, John Haring, Jeremiah Remsen, Francis Lewis, John Jay, Jacob Cuyler and John Broome, made a report on May 27th, which was virtually a declaration of independence.

As a result of the war waged against the colonies by the British parliament, it was asserted that the "old form of government" was thereby dissolved and that it had become "absolutely necessary for the good of the people of this colony to institute" a new form of "internal government and police" with "the supreme legislative and executive power" located wholly within the state "in exclusion of all foreign and external power, authority, dominion, jurisdiction and pre-eminence whatsoever." The committee further proclaimed the democratic principle that the right to create a new government "is, and ought to be in the people." Thus New York announced its right to complete self-government before the Continental Congress issued the Declaration of Independence.

After the way was cleared by this revolutionary action, the committee recommended that since the temporary government by congress and committees, which the people had created, was "subject to many defects," the inhabitants should decide by elections in each county either to return their present representatives or to choose new ones "to institute a new internal form of government . . . suited to the present critical emergency, and to continue in full force and effect until a future peace with Great Britain shall render the same unnecessary." Through the newspapers and handbills the people were urged to carry these recommendations into execution.



*James Clinton*

The acceptance of this proposal opened the way for a new "constitutionally established" state government. It was taken for granted that "by the abdication of the late governor" the old government was dissolved. The exercise of every kind of authority under the crown, it was resolved on May 31st, "should be totally suppressed" and assumed by the people. In consequence, the trial of a sentinel for shooting a man was taken away from the royal courts and transferred to a court martial or the civil authority. This seemed to mark the end of the old courts.

The "Convention of the Representatives of the State of New York" convened on July 9, 1776, at White Plains, and adopted this title on the 10th after approving the Declaration of Independence on the 9th. With the exception of Alexander Hamilton and Aaron Burr, all the conspicuous political leaders of New York for more than a quarter of a century after the Revolution were members of this and preceding revolutionary bodies. On the list of members were John Jay, George and James Clinton, James Duane, Philip and Robert R. Livingston, Philip Schuyler, John Morin Scott, Alexander McDougall, John Sloss Hobart, Abraham, Richard and Robert Yates, John and Philip Van Cortlandt, Francis Lewis and Gouverneur Morris. After approving the Declaration of Independence, the Convention declared that on the day following the battle of Lexington New York began its existence as a free state. Such parts of the English law as were in force in the colony on April 19, 1775, were adopted as the law of the State. Also all grants and charters made by the king of Great Britain after October 14, 1775, were declared null and void. At the same time, all sales of land from the Indians after that date were pronounced invalid, unless authorized by the State Legislature. Quitrents formerly due the Kingdom of Great Britain were appropriated by the State.

The postponement of the consideration of a form of government on July 16th did not prevent a vote (1) "That all magistrates and other officers of justice in this State, who are well affected to the liberties of America, be requested, until further orders, to exercise their respective offices" under the "authority and in the name of the State of New York;" and (2) "That all persons abiding within the State of New York" under the law, are "members of the State" and "owe allegiance to the said laws." Treason was defined and death was made its penalty.

Meanwhile the presence of British forces in the vicinity of New York City and the dangerous situation of the State occupied so much of the time of the convention that it was not until August 1, 1776, that the Convention gave its attention to a new form of government. A committee consisting of John Jay, John Sloss Hobart, William Smith,



*I am Yours &c.*

*D. V. Cothran*

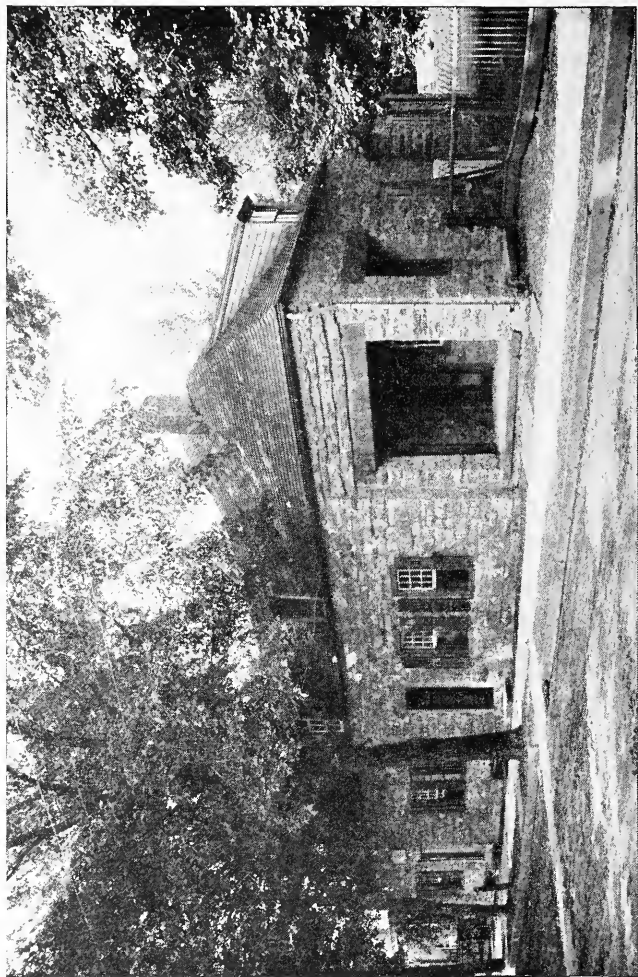


William Duer, Gouverneur Morris, Robert R. Livingston, Colonel John Broome, John Morin Scott, Abraham Yates, Henry Wisner, Samuel Townshend, Colonel Charles De Witt and Robert Yates was appointed to report a bill of rights and a form of government.

In the Provincial Convention, a majority, led by General John Morin Scott, favored popular government. They wished, in making the new constitution, to do something more than merely change names. No one understood better than John Jay that this was an "ultra-democratic" body and it was probably due to his good sense and level head that a fine balance was maintained. By the close vote of 21 to 20, General John Morin Scott had been put on the committee appointed to formulate the constitution, only after strenuous opposition led by Gouverneur Morris, who gave as his reason the resolution of the Provincial Congress excluding military officers from a seat in that body. If the radicalism of General Scott was feared, the alarm was needless for the Constitution of 1777 was conspicuous for the absence of pronounced democratic innovations. Indeed the document was not even submitted to the people for ratification: and under it suffrage was so restricted that in 1790 in New York City only 1303 out of 13,330 male residents voted for governor. The Court of Chancery, used by royal governors to thwart the will of the popular Assembly, also remained unchanged.

More than 6 months passed before the committee delegated to frame a Constitution for the State was ready to report. Meantime the temporary revolutionary bodies carried on the government. Since it seemed desirable to perpetuate the regular civil government so far as possible, the Provincial Committee of Safety, on March 1, 1777, without waiting for the new Constitution, ordered the towns, precincts, manors and districts in each county "to proceed to the election of supervisors, assessors and collectors" for 1 year on the "first Tuesday of April next" in the "usual places." The local committee of Schenectady, and no doubt other regions, as early as January 5, 1777, appointed a constable. This action was followed on March 28th by the election of a supervisor, two assessors, four overseers of highways, two firemasters, four constables, two poormasters, two fence makers, and two poundmasters. On April 14th all persons above 16 years of age were declared eligible to watch duty.

Abraham Yates was chairman of the committee named to write a new Constitution for New York, but John Jay as the leading member was looked to for the first draft and in the early spring of 1777 he retired to the country to write it. "We have a government to form, you know," he wrote, "and God knows what it will resemble. Our politicians,



Old Senate House, Kingston

like some guests at a feast, are perplexed and undetermined which dish to prefer." It is quite generally conceded that Robert R. Livingston and Gouverneur Morris collaborated with John Jay to a greater degree than any other members of the committee in formulating the instrument as a whole. Jay's draft of the Constitution was presented to the Convention on March 12, 1777, and owing to Jay's absence was read by James Duane. The next day discussion of it began and continued from day to day until Sunday, April 20, 1777, when the amended Constitution was read and agreed to by every member except Colonel Peter R. Livingston. The birthday of New York as a constitutional state, therefore, was Sunday, April 20, 1777.

The Council of Revision and Council of Appointment were important additions made during the discussion. It was then ordered that 500 copies of the Constitution, without the preamble, and 2500 copies with it, be printed immediately, and that the fundamental law of the State be published at the courthouse at 11 o'clock on April 22d. At the same time Robert R. Livingston, John Morin Scott, Gouverneur Morris, Abraham Yates, John Jay and John Sloss Hobart were named as a committee "to report a plan for organizing and establishing the government."

The Constitution of 1777, the first of the State of New York, contained a lengthy preamble explaining the election of the Convention and quoting the Declaration of Independence, which supplied the reasons for separating from the British Empire. Then followed forty-two articles which created the governmental machinery "by the authority of the good people of this State." Naturally the colonial government was taken as a model. Its main features were incorporated while the royal characteristics were eliminated. The old judicial system and also the city, county and town governments were continued substantially unchanged. A modified legislature and a circumscribed executive were provided. A popular representative government was created. Governor and Lieutenant Governor were made elective by a limited male suffrage, protected by a written ballot; members of the Legislature were chosen by *viva voce* voting, and assemblymen by a wider electorate; provision was made for the extension of the ballot to the election of members of the Legislature after the war, but, even then, the Legislature might repeal such action if it were found unsatisfactory after trial. Provision was made for a state militia, and clergymen were excluded from holding office. The original copy of the Constitution remained in the hands of a private individual until 1818 when it was obtained by the State.



First Reformed Church, Fishkill

In general the new state government resembled that of the colony. The Assembly was continued substantially as it had existed under the colonial system. The Senate succeeded the Governor's Council and it was even proposed to call this second house a "Council." The powers of the colonial Governor were largely retained. Most of the old administrative offices were adopted without change. With but slight modification the judicial system was incorporated in the new political order. The entire body of local officers in the colony was perpetuated. The outstanding difference between the State and the colony was in the transfer of sovereign power by revolution from the British imperial government to the people of New York. Three general departments of government—executive, legislative and judicial—were recognized, but with a partial check on one another.

The framers of the first State Constitution consciously sought to create a Legislature that would be the most important branch of the government. It was composed of two houses, the Assembly and the Senate. The Assembly consisted of seventy members chosen annually by males of "full age" who had lived 6 months in one county and owned a freehold valued at £20, or rented property of the "yearly value of 40 shillings," and paid state taxes. The Senate was composed of twenty-four members elected for 4 years by freeholders owning property valued at £100. The law-making power was limited by the Council of Revision, made up of the Governor, the Chancellor, and the judges of the Supreme Court, which had a veto power. A subsequent passage of a vetoed measure by a two-thirds vote of the members of each house, however, made it a law. Likewise if the Council of Revision delayed action on a bill for more than 10 days while the Legislature was in session it became a law.

Robert R. Livingston, afterwards Chancellor of the State, was responsible for proposing the Council of Revision in order to prevent the enactment, hastily and unadvisedly, of laws inconsistent with the public good. The Council had a clerk and sat behind closed doors. Down to 1790 of the sixty-one laws vetoed, one was amended and became law, thirty were passed by a two-thirds vote of the Legislature, and thirty failed to become laws. During the 44 years of the existence of the Council of Revision it vetoed 169 bills, fifty-one of which the Legislature passed into law. The check on legislation by the executive and judicial branches of the State Government seems to have been quite effective.

The Constitution gave the Legislature administrative power also by assigning to it four out of the five members of the Council of Appointment who were chosen by the Assembly from the Senate. Control

5  
CONSTITUTION  
OF THE  
STATE  
OF  
NEW-YORK.

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FISH-KILL:  
PRINTED by SAMUEL LOUDON.  
MDCCLXXVII.

Title Page of First Constitution of New York State

(Courtesy New York Historical Society)

of finances had been the chief subject of contention with the crown, hence special care was taken to keep the purse strings in the hands of the Legislature. It might naturalize aliens, and was prohibited from passing acts of attainder.

The seventy members of the Assembly were apportioned to the fourteen counties on the basis of population. For the election of senators the State was divided into "four great districts" and one-fourth retired each year. The southern district included New York and Westchester counties, Long Island and Staten Island and was assigned nine senators; the middle district included Ulster, Orange and Dutchess, with six senators; in the western district were Albany and Tryon, with six senators; and in the northern district Charlotte, Gloucester and Cumberland counties, with three senators. In their powers and procedure the two bodies were essentially alike.

The supreme executive authority of the State was vested in the Governor who was elected from the freeholders for a term of 3 years. He was the commander of the military forces of the State and his political powers were similar to those of the colonial governor. He had authority to convene the Legislature in special session and could prorogue it not to exceed 60 days in one year. Except in the case of treason or murder, he had authority to grant pardons and reprieves to persons convicted of crime. In the new Constitution were incorporated provisions that deprived the Governor of some of the prerogatives which had belonged to his colonial predecessor. His veto power was shared with the judiciary through the Council of Revision. His power of appointment was limited by the Council of Appointment provided for by the Constitution. By act of the Legislature in 1778, the Secretary of State became the clerk of the Council, which consisted of the Governor and one senator chosen by the Assembly from each "great district." Most of the state officers and a large number of the local officers were chosen by this Council. At first the Governor nominated officials and the senators on the Council confirmed, but after a few years the other members also claimed the right to nominate, and their contention was eventually upheld. He had neither direct participation in legislation nor judicial power. Indeed the Governor provided for in the Constitution of 1777 was so restricted in his prerogatives that he had far less authority than the royal governor. These curtailments of his power were due to the fear left over from the colonial period of an arbitrary and irresponsible executive. The Governor was largely subordinated to the Legislature and became little more than an executive agent to carry out its will. Apparently the people did not appreciate the fact that the Revo-

lution gave them a Governor of their own choice who must obey their will. They scarcely realized that sovereign power had passed into their hands. They could not yet see how a governor might represent their interests more directly than the Assembly.

The Lieutenant Governor, elected for the same term and in the same manner as the Governor, presided over the Senate, and in case of vacancy succeeded to the office of Governor. He was also a member of the Court of Errors and Impeachment.

The only other administrative officer of the State mentioned in the Constitution was the Treasurer, who was nominated by the Assembly and "appointed by act of the Legislature." The Secretary of State, Auditor General, and Surveyor General were designated by the Council of Appointment. The Attorney General, appointed earlier by the Convention, took his oath of office under the new Constitution. Military officers were named by the Council of Appointment, as were the judges. County sheriffs and coroners were appointed annually by the Council of Appointment. The Legislature was empowered to designate how loan officers, county treasurers and clerks of the boards of supervisors should be appointed. Town clerks, supervisors, assessors, constables and collectors and "all other officers" hitherto elected by the people were to continue to be so chosen under the direction of the Legislature.

The third branch of government, the judiciary, was inadequately described in the Constitution. The court for the trial of impeachments and correction of errors was the only one actually created. The Constitution seemed to take it for granted that the Supreme Court, the Court of Chancery, the probate court, the county courts, and the admiralty court were continued from the colonial government, and therefore only incidentally mentioned them in limiting the ages of the judges, the offices which each might hold, the selection of clerks, and the appointment of attorneys, solicitors and counsellors at law. The new Court of Errors and Impeachment consisted of the president of the Senate, the senators, the Chancellor and the judges of the Supreme Court and was vested with final appellate jurisdiction.

The importance of the judiciary was recognized in the Constitution, however, because when organized as the Council of Revision it was clothed with power to veto all acts of the Legislature. Only two-thirds of both houses of the Legislature could overrule its decisions. Indeed it may be said that in a sense the Council was also a law-making body. To preserve the dignity and impartiality of the courts, the Chancellor and judges of the Supreme Court were eligible to hold no other office except that of delegate to the Continental Congress. Judges



of county courts, however, might become either senators or assemblymen. On March 10, 1778, by legislative act, the courts were authorized to operate under the Constitution.

The Convention on May 3, 1777, elected Robert R. Livingston Chancellor, John Jay Chief Justice, and Robert Yates and John Sloss Hobart associate judges—the latter being chosen after John Morin Scott refused the honor. Egbert Benson was appointed Attorney General. On May 5th six judges as an “inferior court” and also a sheriff were chosen for Albany county. John Jay on May 29th reported a plan for “holding courts of oyer and terminer, and general jail delivery in this State” and it was approved by the Council of Safety. Thus the judicial system of the State, not specifically outlined in the Constitution, was the first branch of the State Government to be put in operation. On August 22d the constables of the State were ordered to take the oath of office before a county judge or sheriff.

The right to vote was not given to all men but was restricted to several grades of property owners. Only those males white and black who owned property worth £100 and free from incumbrances and were actual residents could vote for Governor, Lieutenant Governor and senators. The right to elect assemblymen was widened to include all owners of a freehold worth £20 and all renters paying 40 shillings<sup>1</sup> yearly providing they actually paid state taxes and had resided within the county for 6 months preceding the election, and also the freemen of Albany and New York City, who were not required to meet the property qualifications. Electors might be required to take an oath of allegiance. The requirements for voting for local officials such as town clerks, supervisors, constables and collectors are not stated but by implication included all the adult male “inhabitants” of the election district, who voted by “plurality of voices.”

No bill of rights was included in the Constitution, but certain guarantees were specified. No authority was to be exercised over the people except such as was granted by them. They were protected against hasty laws inconsistent with the public good. The right of impeachment was provided for against corrupt political conduct. The liberties assured under the common and statute law of England were continued. Property rights and land grants prior to 1775 were validated. Freedom of religious profession and worship was granted forever to

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<sup>1</sup> The money of account in the various states varied in value, irrespective of later depreciation. New York currency was rated at 8 shillings to the dollar which makes these amounts equal to \$250, \$50 and \$5 respectively. The relative value compared with money of today is indicated by the army pay which was, in January 1776, \$50 a month to colonels, \$26.67 to captains, \$5 to privates.

all the people of the State. All ministers and priests were barred from civil and military office. Every man was required to serve in the militia, except Quakers who paid money in lieu of service. Trial by jury, in all cases where it had been used in the colony, was declared forever inviolate. Aliens who were willing to renounce on oath allegiance to all foreign authorities, ecclesiastical as well as civil, might at the discretion of the Legislature become naturalized citizens. Negro slavery was not abolished, although John Jay declared that had he been present he would have favored such action.

The Constitution of 1777 was sufficiently flexible to meet the political needs of a vigorously expanding State until 1821. It was a worthy tribute to its framers that during those 44 years only minor amendments were made. It was due to the prudence and wisdom of the statesmen, who governed the State under it, that the people were contented, happy and prosperous.

Two days after the adoption of the Constitution of 1777 it was read by the secretary of the Convention, while standing on a barrel in front of the old courthouse in Kingston, to the crowd that gathered to hear it. Although there were some "earnest prayers and ugly protests" against it, chiefly from the Tories, still in general it was received favorably both within and without the State. "It is approved even in New England," wrote Jay, "where few New York productions have credit." It was quite generally believed to be one of the best of the American state constitutions.

Until the Governor and Legislature were elected, it seemed wise to create a "temporary form of government," so on May 3, 1777, the Convention proceeded to appoint a Council of Safety composed of fifteen men with John Morin Scott as chairman. For their services the members received 20 shillings a day. For the next 4 months beginning with May 14th this Council helped to conduct the government of the State.

Now that a Constitution had been adopted, the next step was to set up the governmental machinery for which it provided. The committee of six named for that purpose on April 20, 1777, reported on May 8th the county courts, sheriffs, and clerks chosen for Dutchess, Westchester, Ulster, Tryon, Orange, Charlotte and Gloucester, and stated that, if approved by the Council of Appointment, they should remain in office as provided in the Constitution. These sheriffs were instructed to give public notice of elections to be held for a Governor, Lieutenant Governor and members of the Senate and Assembly in time for the first session of the Legislature at Kingston on July 1, 1777. Since the southern district was mostly in the hands of the British, the committee

recommended that the Convention should elect senators and assemblymen for that part of the State. This report of the committee was adopted, ordered printed in 1000 copies and distributed. Writs of election were issued to the sheriffs on May 19th authorizing elections to be held in June.

The people of New York now made preparations to hold the first election under the new Constitution. The sheriffs in the eight counties outside of the southern district notified the voters of the days and places of election. The whole State buzzed with excitement. Officers in the army, who were serving away from their homes, petitioned the Council of Safety to have commissioners appointed to receive their votes. After considerable discussion, the commanders of the various military posts in the State were instructed to permit such officers and soldiers under them as had a right to vote to go to the nearest "place of election," provided the safety of the post was not thereby endangered.

There were no parties in the modern sense and hence interest in the election centered about prominent military and civil leaders. General Philip Schuyler, General George Clinton, General John Morin Scott, and John Jay were the popular favorites for Governor. Because men were too busy conducting the war and governing the new State, the election was not preceded by a campaign of speaking but nevertheless there were much discussion and letter writing. John Jay sent out a communication urging the election of Philip Schuyler for Governor and George Clinton for Lieutenant Governor, and they secured the conservative vote. On June 20th Jay wrote Schuyler that his election seemed certain. General John Morin Scott was the favorite candidate of the radicals. Unfortunately the full election returns have not been preserved. A fragment from six counties, Albany, Cumberland, Dutchess, Tryon, Ulster and Westchester, gives the following vote for Governor:

Philip Schuyler .....	1 012
George Clinton .....	865
John Morin Scott .....	386
John Jay .....	367
Philip Livingston .....	5
Robert R. Livingston .....	7

The vote of Orange and other southern counties, however, gave the plurality to George Clinton, who at the time was in active command of the state militia.

The Council of Safety on July 9, 1777, after examining the returns of the election held in June and reported by the county sheriffs, declared that George Clinton was "duly elected Governor of this State" and also chosen Lieutenant Governor; and that senators were elected in the western, middle and eastern districts. Senators and "representatives" in the Assembly were chosen at the same time as the Governor. A good picture of the part played by the county committee and sheriff in the election is given in the Minutes of the Albany Committee of Correspondence for June 6, 1777.

Since the southern district was in the hands of the British, thus making it difficult to elect senators, the Council of Safety "did appoint" nine senators for that part of the State. In like manner members of Assembly for those counties of the southern district not in a position to hold elections were appointed by the Council of Safety.

Governor Clinton was congratulated by the Council of Safety, and requested to appear as soon as possible to accept one of the two offices to which he was chosen, under the required oath. From Fort Montgomery the Governor wrote the Council of Safety July 11th that, since he would accept the post of Governor, the office of Lieutenant Governor was vacant, but to leave no doubt he formally resigned that office. He promised to go to Kingston, as soon as his military duties would permit, to take the oath of office. Yet it was not until July 30, 1777, that Clinton took the oath required of him as Governor. A short proclamation, drawn up on the same day, informed the people of the State that the first Governor chosen by their own votes would assume the duties of his office. The sheriff of Ulster county at 6 o'clock in the afternoon of July 30th published the proclamation in front of the courthouse at Kingston to a crowd of militiamen and civilians, and 500 copies were ordered printed for use over the State.

The election ordinance had announced that the Legislature would meet on July 1, 1777, but the late returns of the votes made that impossible. Then on July 16th the Council of Safety had called the Legislature to convene on August 1st. "Public emergencies" induced Governor Clinton to postpone the time of meeting to August 20th, and finally to September 1st. On that date some of the members met, but it was not until September 10th that the Assembly had enough members to organize by electing Walter Livingston speaker and John McKesson clerk.

Owing to these conditions, the Council of Safety conducted public affairs alone from May 14th to July 30th, and from July 30th to September 10th in cooperation with Governor Clinton. One of the last acts of the Council of Safety was the authorization of "a great

seal for the State," the Governor's private seal to be used meanwhile. Thus the temporary, extra-legal, revolutionary government of New York, after more than 2 years of faithful service now gave way to the government established under the Constitution. In the courthouse at Kingston, on the afternoon of September 10, 1777, the two houses of the first Legislature met to hear Governor Clinton's "speech." He explained that "the invasion of the State on the northern and western frontiers" and the advance of General Howe up the Hudson had made it necessary to postpone the meeting of the Legislature. He praised the ability and integrity of the Council of Safety. He lauded the "bravery of the garrison at Fort Schuyler" and the "intrepidity of the late gallant General Herkimer and the militia of Tryon county" for having entirely frustrated the "designs of the enemy" at Oriskany; mentioned the "complete victory gained near Bennington;" and stated that the Highlands forts were strong enough to check General Howe's ascent of the Hudson. So favorable was the military situation that he expected "a happy issue to this campaign." He asked the Legislature to revise the militia law, to improve the finances, to prescribe the methods of election and to observe scrupulously the rights of the other coordinate branches of government.

Three days later the Assembly in an address to the Governor congratulated him on his election, expressed the hope that the victories at Oriskany and Bennington would convince "our haughty foes" that "to destroy the spirit of liberty" they must first destroy the people, promised to enact the laws recommended and declared its intention to respect the Governor's prerogatives and to maintain its own. The Senate's address, presented on September 22d, covered substantially the same subjects.

Both houses of the Legislature now drew up rules of procedure and appointed the committees necessary to conduct business. The Rev. Doctor Rogers was requested "to perform prayers" every morning and to preach on Sundays. On September 16th, after considerable wrangling, the Assembly elected four senators—John Morin Scott, Jesse Woodhull, Abraham Yates, and Alexander Webster—to act with Governor Clinton as a Council of Appointment. This important body, changed in its personnel from time to time, appointed the military officers of the State as well as all the civil officials both State and local not otherwise provided for in the Constitution.

It was intended, no doubt, that the new government created by the Constitution would displace the Congress, Council of Safety,

and local committees, but the committees called into existence by the Revolution did not disappear. Indeed the Legislature voted to continue the county and local committees, subjecting them, however, to its authority. Notwithstanding the veto of this bill by the Council of Revision, these useful bodies continued to be more or less active throughout the Revolution.

To cooperate with the other states in the Continental Congress, five delegates were chosen on October 3, 1777, in a joint session after separate nominations in each house.

The framers of the State Government had purposely magnified the power of the Legislature and minimized that of the Governor. More and more during this trying period of war the burden of conducting the affairs of the State fell on the shoulders of Governor Clinton. The perilous situation called for a strong, militant leader. Fortunately Governor George Clinton was an able man trained both in the legislative hall and on the field of war. The confidence of the people in his wisdom and integrity as Governor is shown by the fact that they continued him in office for a period of 18 years without a change. His majority for his second term was 3264. There can be no doubt that Governor Clinton by his strength and ability protected the dignity of the executive office and made it a powerful coordinate branch of the State Government. A weaker executive might have permitted serious inroads on the Governor's prerogative. Pierre Van Cortlandt served as Lieutenant Governor for the same length of time.

John Morin Scott was appointed Secretary of State in 1778 and served continuously to 1789. Comfort Sands was chosen Auditor General by a resolution of the Provincial Convention in 1776 and served throughout the war until 1782, when he was succeeded by Peter T. Curtenius as State Auditor. The Convention in 1776 appointed Peter Van Brugh Livingston Treasurer and he retained that office until April 1, 1778, when Gerard Bancker was appointed, who served till 1798. Egbert Benson, named Attorney General under the Convention on May 3, 1777, served till 1788. The office of Surveyor General was created by an act of March 20, 1781, and to fill it the Council of Appointment selected Philip Schuyler, who held it until 1784.

This first Legislature of the State of New York, which sat for about  $4\frac{1}{2}$  months during the year 1777-78, cooperated in every possible way with the Continental Congress and the Governor in prosecuting the war. On October 7, 1777, before any laws had been passed, both houses adjourned quite abruptly in consequence of the approach of the British army under Burgoyne from the north and

the capture of the forts in the Highlands by Sir Henry Clinton. Some of the members of the Legislature held military commissions, and others rushed home to care for their families. The senators and assemblymen who remained at Kingston on the day of adjournment, formed themselves into a Convention, created a new Council of Safety of seven members, vested it with all the powers of the old Council, and authorized it to meet when the Convention was not in session. The Governor, or in his absence, the president of the Senate, was to preside over the Council and had a casting vote. This Council of Safety, which Governor Clinton called "the Legislature," continued to act until January 7, 1778, when the Convention again assembled with nine senators and eighteen assemblymen present. The Council during the three months of its existence devoted all its energy to two problems—the active conduct of the war, and the suppression of the Loyalists. The Convention sat for 1 week only, when on January 15, 1778, the Legislature resumed its work, this time at Poughkeepsie.

The Convention and Council of Safety were, to say the least, irregular bodies not recognized in the Constitution of 1777. The fact that the difficulties confronting the patriot statesmen at that period made it necessary to resort to these extraordinary political agencies, which had characterized the earlier years of the Revolution, shows clearly how much resourcefulness and inventiveness were necessary to keep the young State going during the greatest crisis of the Revolution. Since members of the Legislature themselves composed these smaller bodies, there was no criticism of the wisdom of the action. To legalize their legislative and administrative acts, the Legislature at its sitting on June 9, 1778, voted to validate the proceedings of the Convention and Council of Safety. These were the last extra-legal bodies to govern New York during the Revolution. From April 3, 1775, when the colonial Assembly last met until February 6, 1778, when the first act of the first State Legislature was passed, all legislation had been by revolutionary congresses, councils and committees. After 1778, however, the political instruments created by the Constitution directed the legislation and administration of the State.

Of the forty-seven acts passed by the first Legislature in the second part of its session, the first was the approval on February 6th of the proposed "Articles of Confederation and perpetual union between the United States of America," which Governor Clinton had recommended in his message. By this act New York State, after an existence for nearly 2 years as an independent state, voluntarily became a member of "The United States of America." The Legislature took

this important step without submitting the question to a direct vote of the people. Any two of New York's delegates were authorized to ratify the constitution of the Confederation which was to become binding on New York only when confirmed by all the states. By this "league of friendship" New York in common with the other members agreed not to make any treaty with foreign states, not to lay duties, not to keep a navy or armed forces except militia and not to make war or peace. Expenses of the national government were to be paid by the states in proportion to the value of their land.



Massacre of Jane McCrea, July 1777

Painting by F. C. Yohn

*(Courtesy Glens Falls Insurance Co.)*

Disputes between the states were to be settled by the general Congress. The Declaration of Independence opened the way for a new nation and the Articles of Confederation created it. On October 23, 1779, the other states having signified their adhesion to the confederation, New York officially ratified the articles. To meet the expenses of the war, the Legislature on February 19, 1780, empowered its delegates to adjust the western boundaries by ceding certain public lands to the United States for the benefit of all the states.

From 1777 to 1783, when the Revolutionary War came to an end, the Legislature sat annually. The efforts of the civil government



of the State were quite as important as the exertions of the military authorities in prosecuting the war to a successful issue. The Governor, Legislature and Judiciary cooperated in every possible way with the military leaders. During these 6 years 264 laws were enacted dealing with state and local government, public health, relief of the poor, the arrest and punishment of traitors, finance and taxation, military affairs and supplies, and trade and commerce.

Model oaths were formulated for the various state and local officers, which after being subscribed to, were deposited in the office of the Secretary of State and with the county clerks. An oath of allegiance was required of all "equivocal characters." The conduct of the war necessitated the appointment of "state agents" to purchase supplies and the enactment of laws to direct their actions; and of boards such as Commissioners of Forfeiture and Sequestration, Commissioners of the Loan Office, and Commissioners of Prisoners. The presence of large numbers of Loyalists led to the creation of committees to detect conspiracies, and the passage of numerous laws about forfeited estates, and treason. Much legislation was necessary to prescribe the jurisdiction of the courts, to regulate the terms of the Supreme Court, to fix the fees, to provide for the trials of felons and to supervise the county courts. The salaries of state officers were fixed by law.

The perfection of the State Government received much attention. The "great seal," the "privy seal," seals for the courts, and the state coat of arms were adopted.

Since "the purity and freedom of elections" were held to be essential to independence and liberty, the act of March 27, 1778, regulated elections in great detail. The Constitution did not fix the date of election of state officers, consequently the "last Tuesday in April" was made the uniform time in all counties. Precautions were taken to secure trustworthy inspectors and poll clerks, and their duties were clearly defined. Persons suspected of lacking the constitutional qualifications for voters were required to take an oath or affirmation that they either owned the necessary property or paid the rent required, and that they had not voted elsewhere. The "freemen" of Albany and New York City, however, were exempt from this oath. Bribery in elections was made a misdemeanor punishable by a fine of £500 and disqualification for voting "forever." The official term of the Governor was to begin on the first Monday in July after the election, when the Legislature also was to meet at a place designated by the Governor. When the eastern district allowed

election day to pass without choosing state and local officers, a special act set another date.

The police laws in time of war naturally covered a multitude of topics such as counterfeiting, illicit trade with the enemy, the establishment of night watches in the counties, spies and suspected persons, the removal of the "disaffected," riots, robberies and trespasses. Regulations covered the inspection of potash, "hawkers and peddlars," lotteries and inns and taverns. The poor laws threw the burden for protecting the destitute on the counties, but many special acts were passed for the relief of private individuals who suffered from the ravages of war. The public health was protected by laws to prevent the spread of smallpox and "infectious distempers." The highways were improved, particularly in those counties where the military operations were most active.

In New York from 1776 to 1783 there were two civil governments—one British in New York City and the surrounding country; the other American in the rest of the State. Of course, neither one recognized the legality of the other. When the British took possession of New York City the government by mayor and council was replaced by a military establishment. A commandant was the real head of the city. The mayoralty office was not exactly abolished, for the mayor was allowed to continue but without authority. No taxes were levied on the people, and the money needed to run the city came from wharf dues and tavern licenses. The church vestry of nineteen men raised money for philanthropy, secured work for the poor and practically ruled the city in civil matters. Rents were up 400 per cent because of the large number of soldiers and the influx of the Loyalists, and food cost 800 per cent more. The churches of the patriots were used as barracks and prisons, stables and hospitals, storehouses and riding schools. King's College continued in session intermittently, three newspapers were printed, the theaters were open, and cricket and bull-baiting amused the people. In 1781 Prince William Henry, the third son of George III, visited New York City. The royal birthdays were celebrated with enthusiasm. In the anticipation of the abolition of the British government in New York City, the Legislature in October 23, 1779, provided a temporary government of the southern district. It was called a "council" and consisted of the administrative officers of the State, the members of the Legislature, the judges of the Supreme Court, and the judges of the counties affected. The council was clothed with wide powers and was to serve until the Legislature could meet following the departure of the enemy. The Governor with any six members of the council

might act. It had a president, who was the Governor, a secretary and doorkeeper, and its expenses ran into many hundreds of pounds. On March 27, 1783, the council was authorized to make a "convention" with the British commander in chief for the evacuation of the posts in the southern and western parts of the State and to occupy the same until further orders were received from the Legislature. The council was still acting in the spring of 1784.

Care was also taken to promote the orderliness and efficiency of local government. In general the local officials of the colonial days were continued. One of the first acts of the Legislature in 1778 was to discharge the old assessors and to order the "inhabitants" to meet in the various political subdivisions to elect "by plurality of vote" from three to nine assessors, who should serve "until the annual day of town meeting" 1779. Thereafter they were to be elected annually. They were empowered to assess the value of all property in their districts. The persons elected assessors were forced to serve under penalty of £25, and they had to take an oath to assess honestly and impartially. This act greatly increased the number of assessors. In 1780 the collectors elected from the freeholders in Albany, Ulster, and Orange counties were increased by any number up to four. The old charter of the city of Albany was continued in 1778 but the city officials were required to take an oath of allegiance to the State. The manor of Rensselaerwyck was divided into two districts in 1779 and the next year Mohawk district in Tryon county became two districts. This was an example of the numerous internal boundary lines that had to be adjusted by legislative decision. Efforts were made to determine the boundaries of the State between New York and Vermont, New York and Massachusetts, and to the westward.

Justice of the peace and city officials, by the law of February 26, 1780, were empowered to try cases involving £100 or less, but 2 years later this sum was reduced to £10.

Under the brutalizing influence of a bitter war little thought was given to the improvement of the criminal law, which until 1796 remained almost as severe as in England. The death penalty was limited, however, to treason, murder, and theft from a church. Whipping was not abolished until some years after the close of the Revolution. Punishments were harsh and prisons were foul places. In 1780 "murders, burglaries, thefts and robberies" were so numerous that a law was passed "for the more speedy trial of felonies without benefit of clergy."

The names of districts, towns and counties were changed. King's College became Columbia by act of the Legislature. The erection of bridges, jails and court houses was authorized. The State offered a reward for killing wolves and panthers, and instructed the county treasurers to pay the rewards on orders of the supervisors. In 1782 the county sheriffs were ordered to take a census of the white inhabitants by using the local constables for that purpose.

One of the most important changes brought about by the Revolution was connected with land holding. In colonial days the land was largely in the hands of great proprietors. Many of these landlords were Loyalists and in consequence their property was confiscated, cut up into small plots of 100 acres and upwards, and sold in many instances to their tenants or other farmers. Thus large numbers of landless men in the State became property owners and voters. Moreover the law of July 12, 1782, abolished the system of entails and permitted tenants to hold land in fee simple, and provided in the absence of a will for the descent of the property of a deceased person equally to all direct heirs. Unappropriated lands of the State, taken over from the crown, were offered as bounties in 1781 to officers and privates who volunteered to serve in the Continental Army. By special acts private individuals were given permission to locate on waste public lands. In these various ways there emerged through the Revolution a new class of land owners who became substantial citizens of the new State.

Much of the legislation was concerned with the recruiting of troops, military affairs and army supplies, which will be mentioned in Chapter VIII and hence need not be discussed here. Suffice it to say that during a prolonged period of war the laws dealing with military matters far outnumbered those on any other subject. Of equal importance and very numerous were the laws relating to finance. One of the earliest acts of the Legislature in 1778 was a tax levied on all real and personal property in the State and on liquors. Nine such levies were made from 1778 to 1783 and indicate the sacrifices the property owners of the State had to make to win the war. Other laws dealt with paper currency, certificates, loans, lotteries, the sale of lands, interest and depreciation. In 1782 the Bank of North America created by the United States was incorporated in the State of New York and the organization of all other banks was prohibited. These financial measures will be treated in Chapter VI. A number of acts were passed to regulate the prices of foods, wages, the exportation of flour, and to prevent monopolies.

With the outbreak of the Revolution, the royal government gradually ceased to function. In the emergency a revolutionary government by committees, conventions, congresses and councils was set up by the people to govern the State, which helped wage war for self-government for more than 2 years. During that period New York joined the other colonies in separating from the British Empire, and, as a free State, then proceeded to draw up its first Constitution, which was adopted on April 20, 1777, and under it to create the new machinery of government, which directed affairs during the remaining six years of the war. All the governmental agencies in the old town, county and colonial government that could be utilized in the new political order were retained, and proved to be stabilizing influences. To help wage a successful war, to establish a new political system, to finance these operations, and at the same time to solve a thousand vexing and difficult problems incident to the transition from the status of a dependent colony to that of an independent state cooperating with other sister states in a new nation called the United States of America, required political ability, military valor, wisdom, faith, vision and the capacity for self-sacrifice. These characteristics the fathers of the State undoubtedly possessed, and out of them developed the Empire State.



## VI

### THE STRUGGLE TO FINANCE THE REVOLUTION

The more spectacular military aspects of the Revolution have been stressed to the exclusion of less dramatic but equally important phases. To finance the war was a task as difficult as to win battles, yet this side of the story has been largely neglected. No history of New York's effort to meet the financial problems has been written. In this chapter it is intended to set forth briefly some of the difficulties confronting the people of New York in paying their share of war expenses and to show how they were met. The picture is one of financial chaos, desperate endeavors to supply current funds and credit, and confusing and hazardous expedients. An army had to be organized; a navy built; fortifications erected; and ammunition, clothing, weapons, cannon, and numerous other military supplies purchased. War is tremendously expensive—a fact learned by New York in the colonial wars when the British treasury lightened the burden. Now that the whole cost of an expensive war had to be met at home, there were four sources from which the necessary money could be secured: (1) the colonial treasury; (2) taxation of and loans from the people; (3) excise and duties; and (4) the Continental Congress. In the various resolutions drawn up by the committees of the people they pledged their "lives and fortunes" to defend the American cause. The sacrifice of wealth demanded by the war involved more individuals than the risk of life in military service, and embraced all the people of the State who owned property.

One of the earliest acts of the Provincial Congress was the promise on May 24, 1775, to repay all monies advanced for the public cause.

When the old colonial government was gradually superseded in 1774 and 1775 by an extra-legal government of committees and congresses chosen by the people, these bodies were met immediately by the problem of financing both the political activities and the military operations which began with the plans to seize Fort Ticonderoga and Crown Point shortly after the colonists had been electrified by the news of Lexington and Concord.

The situation was serious but not hopeless. Although the administration of the colony was changed by the election of revolutionary committees and a congress, yet much of the colonial government still operated. This was particularly true of the machinery in control of finances. The county treasurers, boards of supervisors, assessors and

collectors continued to hold office and thus supplied trained officers for collecting taxes. The old colonial treasury was placed under the control of the Provincial Congress but it gradually ceased to function.

At the same time it was felt that some financial agency should be created which would be more directly responsible to the supreme revolutionary authority in the province. Consequently, on July 8, 1775, only a little over a fortnight after convening, the Provincial Congress selected Peter Van Brugh Livingston, its first president, as a special treasurer to handle all funds for the general defense. Thus it will be seen that for something over a year there were two treasurers in New York — the colonial treasurer continuing from colonial days and the revolutionary treasurer appointed for the emergency. So arduous were the duties of Peter Van Brugh Livingston that on August 28, 1775, Gerard Bancker was chosen as his assistant. Some idea of the importance of the office may be obtained from the fact that the receipts for the first 16 months of the war approximated \$620,000, and most of it was disbursed for state service. At the same time for the year following August 23, 1775, the treasurer received from the Continental Congress about \$387,000 and used it for national service. On April 22, 1776, "the excise" was collected from seventy-five persons, of whom a dozen were women. The names of about 280 "New York liquor sellers" for that year are preserved.

In colonial days the money needed to run the government had been raised largely from duties on exports and imports, on slaves, on distilled liquors, on goods sold at public sales, licenses etc. Whenever some emergency, like war, necessitated a larger sum, it was raised by a tax on land and personal property. This tax was apportioned among the counties. The assessors decided the amount of tax each person should pay. The collectors gathered in the money and paid it over to the county treasurer. In turn the county treasurers sent the funds collected to the treasurer of the colony. The Assembly then made its appropriations.

The colonial records seem to indicate that after the French and Indian War, no taxes were levied directly on land and personal property by the colonial legislature for the support of the colonial government. According to Governor Tryon the cost of the government of New York in 1773 was £17,567, of which £5600 came from interest on loans to the people, £6000 from duties and revenues, and the balance from fines, fees, licenses, and the excise. In 1762 the counties and cities of New York still owed in back taxes £7716, New York City and Albany being the most delinquent. Indeed as late as 1772 the government was still attempting to collect these old taxes from New York





Morgan Lewis

City. Although apparently free from direct taxes on lands and personal property by the colonial government after 1762, the people of the colony seem to have been called upon to pay such taxes when levied by the county authorities, for the Assembly enacted laws authorizing Albany, New York, Orange, Ulster and Westchester counties to adopt more effective and equitable methods of assessment and collection. Freedom from general direct colonial taxes for a decade before the Revolution may explain in part the tumult caused by the attempt of the British parliament to tax a people accustomed only to local taxes.

When the Revolution became armed resistance in 1775 and immediately entailed a heavy expense, Abraham Lott was treasurer of the colony.<sup>1</sup> His office was not abolished, as has been seen, and he was recognized as an official until the fall of 1776. As contractor for victualling British ships, the Provincial Congress permitted him to supply bread, meat, flour, salt, butter and rum to English vessels in the harbor, such as the "Asia," "King's Fisher," and "Nautilus," until the close of February, 1776, when that business was stopped. He was required to send lists of all such supplies to the Provincial Congress, however, together with an account of the money received.

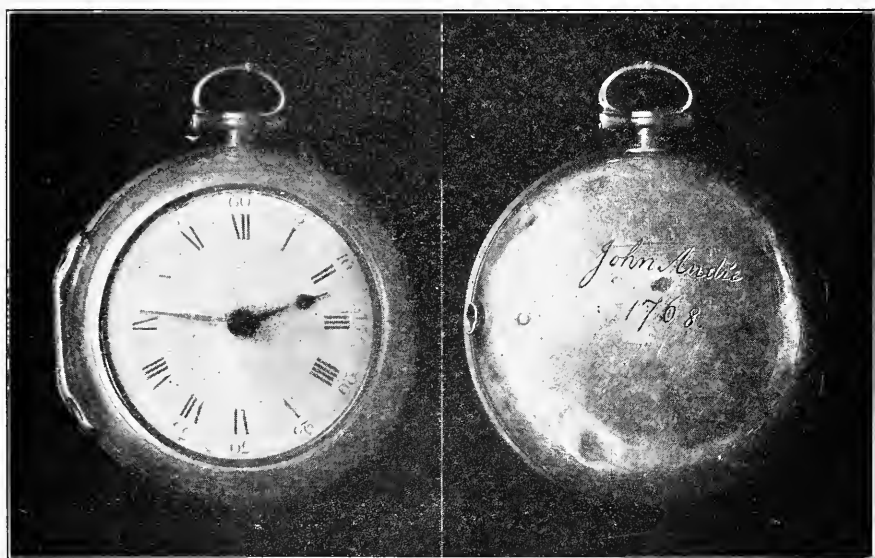
Lott was called upon to loan funds to the Provincial Congress "for the present emergency" and all the members of that body voted on May 31, 1775, "to be responsible." For example, on June 2, 1775, on order of the Provincial Congress, one Clarkson asked Abraham Lott to lend him £200, which was done and that sum was paid to Dirck Swart for public services. The same day Colonel Ten Broeck and Dirck Swart obtained from Lott "an order on the loan offices of the city and county of Albany" for £700 to be used "for the public exigencies of the colony." Ten Broeck gave his note to Lott and the Provincial Congress voted to assume the obligation. On July 12, 1775, Egbert Dumond asked Lott for an order on the loan offices of Ulster county to send flour to Albany. The notes of Clarkson and Ten Broeck to Lott were presented to the Provincial Congress on November 4th. For money thus advanced receipts and even notes were given. With the intention of using the colonial funds for military purposes, the Provincial Congress on February 21, 1776, appointed a committee of four to examine the accounts of the colonial treasurer and report on the funds in his hands. At that time, apparently, there was no thought either of abolishing that office or of transferring the monies to the special treasurer chosen by the Provincial Congress. When the interest and 10 per cent of the principal on a popular loan of £120,000 made

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<sup>1</sup> Appointed in 1767.

in 1771 fell due in April 1776, the Provincial Congress on March 9th ordered that, since the war made it difficult for the people to make their payments, the portion of the principal due might be suspended for 1 year. The interest paid in went to Lott and not to Livingston together with the principal, and was lent out again by the former in order to meet the purposes of the act of 1771.

On the other hand, when the Provincial Congress issued its first paper money in 1776, it was placed in its own treasury and not turned over to Lott. By this time, it may be said that the revolutionary government of New York had assumed all the financial obligations of the colonial government and also insisted upon collecting all debts due it. Any surplus, it was felt, might be used legitimately to finance the war. This was a revolutionary procedure of much consequence which has been entirely overlooked.



Watch of Maj. John André

*(Courtesy New York Historical Society)*

On March 9, 1776, Lott was ordered within 30 days to report on oath all "public revenues" in his hands and to state to what funds they belonged. Failing to do so, the Convention on September 17, 1776, summoned him to appear before it immediately with his account books, papers and money, in order that the balance in his possession might be turned over "to the present Treasurer of this State." If he refused to appear within 5 days, he was to be seized and brought

under arrest to the Convention. At the same time it was voted that Lott "cease to demand or receive any moneys belonging" to New York, and that Peter Van Brugh Livingston, as State Treasurer, should receive the same. By this action the old office of treasurer was virtually abolished and a new State Treasurer substituted.

At last word came from Lott that a "wounded wrist" and an attack of the gout had made it impossible to answer his summons, but that he would appear shortly. On October 9, 1776, he said that he was gathering his paper together and would soon present his report. A memorandum made out about a month later showed that duties amounting to over £316 were still owing from twenty-eight persons. Nothing further appears in the records until April 24, 1777, when the "late Treasurer of the Colony of New York" appeared. A committee of three was asked to confer with him and report, with instructions to allow his salary up to September 17, 1777. It was reported that Lott owed the State £24,870 but that he had in hand only £3000, the balance having been invested in the Danish Islands. The Convention on May 8, 1777, ordered Lott to turn over to the State Treasurer the cash in his possession and all his records together with an exact statement of his accounts. Apparently no settlement was made, for as late as May 12, 1784, the State Legislature was still trying to collect the balance due the State either from him or his bondsmen. This experience of the revolutionary government with the legitimate treasurer of the colony is given at length because it illustrates the method by which the colonial financial machinery together with such resources as were available was taken over by the patriots, and also the precautions observed to do it in an orderly manner.

One of the earliest acts of the State Legislature was the appointment of Gerard Bancker on April 1, 1778, as the State Treasurer, succeeding Peter Van Brugh Livingston, appointed by the Convention in 1776. He was reappointed for short terms throughout the Revolutionary War and his bond was fixed at \$10,000. The State Treasurer was a most important official because upon him fell the task of raising money and paying bills. In this difficult work Gerard Bancker's duties were as important as those of a governor or a general. With his famous iron money chest, moving about from New York City to Rochester, Hurley, Poughkeepsie, Kingston and finally Albany, he deserves high rank among the State's great men. He had to be an authority on colonial, continental, state and foreign money. The various kinds of bills, notes and certificates were most confusing, and depreciation added to the chaotic condition. Associated with Bancker as Auditor Generals were Comfort Sands and Peter T. Curtenius, who shared the vexations and perplexities of his office.

The New York Provincial Congress was one of the first revolutionary bodies to outline a new intercolonial program to finance the war. On May 26, 1775, only 2 weeks after the Second Continental Congress met at Philadelphia, the Provincial Congress wrote to New York's delegates that it was "clearly impossible" to raise by taxes a sum "adequate to the public service" and that it was equally certain that the paper money of the various states could not obtain "universal circulation." Consequently the Continental Congress would have to issue "an universal paper currency." A committee was appointed by the Provincial



David Williams Medal 1781

*(Courtesy New York Historical Society)*

Congress to consider "the expediency of emitting a continental paper currency," and the Continental Congress was advised to await the committee's report. On May 30th the report stated that since gold and silver were so scarce in New York, the money needed for the war would have to be paper. Since the danger of depreciation was so great the paper money must be issued in small quantities. The best plan was to have the Continental Congress "strike the whole sum" and then apportion it to each colony, using some distinctive device to show each colony's bills. After debate the report was adopted unanimously and forwarded to the Continental Congress.

This New York "plan for raising money" pleased the New York delegates at Philadelphia who promised to use their "endeavors to carry it through." Although they realized that "for want of money" the New York Provincial Congress was facing "difficulties" in war preparations, still they urged that body to forward 5,000 barrels of flour to the army at Boston on the credit of the Continental Congress. James Duane wrote on June 17th that the "great complaint of the want of money" would soon be removed by an emission of continental paper money based on the New York plan. There can be little doubt that New York deserves credit for having suggested the monetary system that was used to finance the Revolution. The plan seems to have been formulated by Gouverneur Morris.

The Continental Congress, on June 22, 1775, voted to issue \$2,000,000 in "bills of credit," for the redemption of which "the twelve confederated colonies" gave their pledge. These paper bills bearing the name "Continental Currency," were issued in denominations of from \$1 to \$8, equally distributed, and a smaller amount in \$20 notes. The standard of value was the Spanish milled dollar in gold or silver. James Duane of New York was a member of the committee of five appointed to have plates engraved, to secure paper and to arrange for the printing. To superintend the printing of the bills a new committee of three was named on July 21st. Four days later the Continental Congress ordered the issuance of an additional \$1,000,000 in \$30 bills, and authorized any two members of a committee of twenty-eight to sign bills, which were carefully numbered. Each person who signed and numbered bills was paid \$1.33 $\frac{1}{3}$  for every 1000 bills after he had made a report of his work to the treasurers. On several occasions Congress had to urge greater speed in signing bills.

On July 29, 1775, the Continental Congress appointed two "joint treasurers of the United Colonies" and resolved:

- 1 That each colony should choose a treasurer (which New York had done three weeks before).

- 2 That each colony should arrange to pay for that portion of the continental money assigned to it on the basis of population.

- 3 That out of the \$3,000,000 New York's share was \$248,139, which was the same as that of Connecticut, North Carolina and South Carolina, and the fifth largest sum.

- 4 That each colony should repay to the Continental Congress its share in four equal installments annually, the first being due on November 30, 1779.

- 5 That continental money should be accepted in the colonies for taxes on a par with gold and silver.

It was reported in the New York Provincial Congress on August 5, 1775, that a warrant had been issued for the assignment of \$175,000 in continental notes to New York for money advanced and debts contracted in the public service. Arrangements were made to bring the money to the colony, and on August 23d Egbert Dumond reached New York City from Philadelphia with the \$175,000. The money was delivered to Peter Van Brugh Livingston, who on July 8th, had been made the "Treasurer of the Provincial Congress" and not to Abraham Lott, the colonial treasurer. With this paper money New York in large part financed its war activities during the early months of the struggle. By an arrangement with Congress, New York was assigned an additional \$50,000 from Pennsylvania, and on December 18, 1775, two men were sent to Philadelphia to get it.

Other issues of continental currency followed the first one of \$3,000,000. After making an estimate of the public expenses up to June 10, 1776, Congress on December 26, 1775, authorized a like amount in bills running from \$1 to \$8. Each colony received a share based on the number of inhabitants, and was to repay its quota in four equal annual payments beginning November 30, 1783. The states were expected to raise the money by taxes, which might be paid in "Continental bills" as well as in gold and silver. This second issue was numbered from one upward in ink of a different color to distinguish it from the first. The same method of signing was used. A table of the values of current silver and gold coins in continental paper money was approved on September 2, 1776. The next issue of \$4,000,000 on February 17, 1776, consisted in part of fractions of \$1, and these bills needed but one signature. By November 2, 1776, \$20,000,000 had been issued, and all but something over \$3,000,000 put into circulation. Meanwhile the need of stabilizing the currency was so great that states were urged "to avoid as much as possible the further emission of paper currency" and to pay their quotas of the continental paper. From 1777 issue followed issue in rapid succession until the country was fairly flooded with paper money. It is estimated that the forty issues from 1775 to 1779 amounted to about \$242,000,000. Of the \$32,200,000 issued by Congress between 1778 and 1782, New York's allotment totaled \$1,679,950.

In the year 1780, New York's total apportionment of continental loans was given as \$16,285,143, of which only about one-third or \$5,785,143 had been repaid, leaving a balance due the United States of \$10,500,000.

In addition Congress had levied \$416,445 against New York in "special taxes" of which only \$24,825 had been paid. There was

also a "current account" in which New York still owed a balance of \$652,980. On the other hand, what the United States owed New York, was not known, and "large sums" were still due individuals in the State from the national treasury. Robert Morris, July 25, 1781, urged Governor Clinton to hurry up New York's payments. Alexander Hamilton was appointed by Robert Morris "receiver of the continental taxes within the State of New York" in conformity with an act of November 2, 1781, no doubt with the expectation that he would obtain larger payments. In this position Hamilton obtained experience that was invaluable to him in his later public services. On July 30, 1782, Morris told the Governor that Congress had ordered the collection of State and national taxes separately, and complained that in the previous collections state taxes had been given precedence over continental. New York, he said, was in arrears for every state tax since 1776 and was applying continental taxes for the payment of back state taxes. The Governor was urged to find a remedy. It should be remembered that New York was greatly handicapped financially because the richest part of the State was in the hands of the enemy from 1776 to 1783.

Notwithstanding the supply of continental currency lent to New York, it was not enough to meet the mounting costs of the war, and other sums had to be secured. The devotion of men of wealth in New York to the American cause is shown in the fact that repeatedly they pledged their personal credit to carry on the war. For example, on March 9, 1776, General Philip Schuyler gave his pledge personally to raise \$5000 in specie for the Canadian expedition because paper money would not be accepted by the Canadians. On August 8, 1776, the Convention instructed a committee of three to borrow £10,000 to be repaid in a short time but without interest. A month later the Continental Congress advanced to the New York delegates \$6700 "for use of that State to be accountable." On September 28, 1776, New York got a special loan of \$100,000 from Congress, which reached Poughkeepsie a few months later. Citizens of the State who were indebted to Loyalists, were encouraged by liberal terms to pay these debts to the Government, which took the ground that such payments might be regarded as forfeited property. On November 22, 1777, another loan of \$200,000 was secured from the National Government. Gouverneur Morris reported to Governor Clinton on September 6, 1778, that Congress had lent New York \$485,000, which was less than that granted to any other state except Delaware and Virginia.



New York was not content with continental money but decided to use its own credit for an issue of state paper bills. A ways and means committee was appointed. On September 2, 1775, the Provincial Congress authorized an issue of £45,000 or \$112,500 in paper bills, half "to be sunk," or retired, in March 1776, and the remainder a year later, from taxes levied on the people as follows:

1 Local committees should appoint "two or more assessors and one or more collectors."

2 County committees should supervise collections by cooperating with the assessors and collectors.

3 Those persons refusing to pay their taxes should have their goods sold.

4 The general county committees should appoint county treasurers to receive money from collectors.

5 The county treasurers should send the money to the "Colony Treasurer."

6 The money should be used to "sink" or redeem the paper issue.

7 In case the committees failed to act by November, the Provincial Congress should fix quotas and appoint collectors.

By December 9, 1775, the Continental Congress was advised that the New York bills were printed and ready for signatures. The Provincial Congress, however, was in doubt about the wisdom of complicating the financial system with money that would not circulate easily outside the colonies that issued it, and therefore advised Congress to make all money continental currency. That body was asked whether it would lend New York the needed £45,000. The request was refused on the ground that it would establish a bad precedent. New York then decided to proceed with its own issue. Since there was not sufficient room for the signatures of the three men authorized to sign the bills, it was decided that any two signatures would suffice. On January 6, 1776, Isaac Roosevelt was ordered to have the bills signed "with all possible dispatch." The issue was increased to £55,000, or \$137,500, and consisted mostly of small bills to facilitate the making of change. So active were the military preparations in New York that by May 8, 1776, it was reported that the treasury had been empty for 3 weeks and many bills were owing, hence Isaac Roosevelt was instructed to have the remaining half of the \$137,500 printed, numbered, signed and sent to the Treasurer without delay. Both the continental and New York paper money was made legal tender for all debts, public and private.

An important phase of financing the Revolutionary War was to supply the local political units with funds. The county and district

committees needed money to carry on public business and to render aid in the war. Times were bad for levying local taxes and therefore the Provincial Congress was importuned for cash. The Tryon county committee asked for a loan of £500 for scouts and said that the "association" would be broken if they should attempt to tax the people. The Albany county committee asked for cash on April 2, 1776, to carry on recruiting. Appreciating the local situation, the Provincial Congress on March 13, 1776, voted that the "Colony Treasury" should advance to the county committees the following sums out of the issue of provincial bills of credit:

City and county of New York.....	£1200
City and county of Albany.....	800
Suffolk county.....	460
Westchester county .....	430
Dutchess county .....	420
Tryon county .....	400
Ulster county .....	360
Kings county .....	200
Orange county .....	200
Richmond county .....	129
Cumberland county .....	100
Charlotte county .....	100
Total .....	£4799

The Treasurer was to lend these sums to the county committees on order of the chairman and clerk, and the money was to be paid back when raised by taxes. Another loan of larger sums was made on January 14, 1777, and the county committees were ordered to report all sums received. The county committees in turn supplied the district committees with funds. For instance, on July 17, 1775, the Schenectady committee received from the Albany county committee £100-2s. for "disbursements of this Committee."

An interesting phase of New York's desperate effort to finance the war was the issuance of paper money by the county committees. For instance, the Albany Committee of Correspondence finding it difficult to borrow money put out two issues of £500 each, one as early as June 22, 1775, to meet expenses, but the bills were soon canceled. The next year an issue of £2000 appeared. No doubt the action of Albany was copied elsewhere. Apparently this practice was discountenanced by state and national authorities. It seems that even private persons issued bills on their own credit.

...in the Bureau of the State of ...  
 ... 1777. Both Days included.

Men's Names.		Month	Day	Rank	Pay	Month	Day	Rank	Pay
Frederick Cooper	Coop.	Sept.	15	1777	488	Sept.	15	1777	488
Martin Ray	Ray	Oct.	14	1777	55	Oct.	14	1777	55
Jasper Culmore	Culm.	Nov.	14	1777	52	Nov.	14	1777	52
John Wiley	Wiley	Dec.	13	1777	17	Dec.	13	1777	17
Peter Van Meerbeugh	Van Meerbeugh	Jan.	22	1778	8	Jan.	22	1778	8
James Jackson	Jackson	Feb.	1	1778	16	Feb.	1	1778	16
Camille Taylor	Taylor	Mar.	25	1778	15	Mar.	25	1778	15
James Hurley	Hurley	Apr.	22	1778	5	Apr.	22	1778	5
Israel Smith	Smith	May	15	1778	16	May	15	1778	16
Andrew Long	Long	June	8	1778	6	June	8	1778	6
Richard Johnson	Johnson	July	7	1778	3	July	7	1778	3
Mathias Weston	Weston	Aug.	7	1778	10	Aug.	7	1778	10
James Cooper	Cooper	Sept.	15	1778	16	Sept.	15	1778	16
Delaware Smith	Smith	Oct.	15	1778	14	Oct.	15	1778	14
Andrew Simpson	Simpson	Nov.	12	1778	12	Nov.	12	1778	12
John Lemmon	Lemmon	Dec.	12	1778	12	Dec.	12	1778	12
James Scott	Scott	Jan.	12	1779	12	Jan.	12	1779	12
William Blum	Blum	Feb.	12	1779	12	Feb.	12	1779	12
John Blum	Blum	Mar.	12	1779	12	Mar.	12	1779	12

The colonial "Loan Office" was a financial institution, created in New York in 1737 and still in active operation at the outbreak of the Revolution. The loan offices were located in every county. They were devised, on the one hand, for the purpose of encouraging trade and agriculture by supplying funds and by putting money into circulation, and on the other, for the better support of the colonial government.

The loan officers, who were chosen with care in each county by the justices and supervisors, received an allotment of paper money from the colonial treasurer, which they loaned out at a fair rate of interest to borrowers in need of funds for various business operations who could give security in satisfactory mortgages on lands and houses. Careful records were kept of all transactions. One of the last acts of the colonial Assembly on April 3, 1775, was to authorize the loan officers of Suffolk county to foreclose certain mortgages taken to secure loans. Theodorus Van Wyck, loan officer of New York City, on June 14, 1776, notified the Provincial Congress that he was about to offer for public sale the houses and lands of such persons as had not paid their interest on loans, and asked that body for advice.

To the local loan offices inherited by the Revolution there was added the Loan Office of the State of New York, known also as the "Continental Loan Office," created for the purpose of borrowing money from the people. On October 3, 1776, the Continental Congress asked each state to appoint a commissioner of a loan office "for the convenience of the lenders" and to report the names of the men selected. Henry I. Van Rensselaer on November 8, 1776, was appointed "commissioner" to superintend the Loan Office of the State and to receive money loaned to the United States on its credit. His office was located at Albany and he was required to give a bond of £20,000 New York currency. When he resigned, Dirck Ten Broeck succeeded to the office. Abraham Yates was "commissioner of the Continental Loan Office" in 1780.

A broadside dated October 3, 1776, advertised the continental loan of \$5,000,000 which the states were asked to assume. The certificates given to lenders were in denominations of from \$300 to \$1000, and bore ornamental distinguishing colors and marks. The loan commissioners were instructed to deliver "indented" certificates and to keep the corresponding "checks" for the purpose of identification. Records of all sums received should be kept with dates and names of lenders. Once a month a report was made to the national treasurer of

I do hereby certify, that  
during the late war, Captain Elijah  
Hunt of Hartford in Hephreth's family  
was in the Recommendation of Mr. John  
Jay, then President of Congress, and  
of Major General M'Dougall, employed  
on some secret services which he per-  
formed as far as came to my knowledge  
with Integrity and to my satisfaction.

Given under my hand

the 1<sup>st</sup> day of November 1788

George Washington

the cash on hand, which Congress might draw on at any time. On these loans the United States agreed to pay 4 per cent interest annually and loan officers "countersigned" the certificates. The principal was due in 3 years and payable, as in the case of interest, through the loan office. Of course these certificates given in exchange for loans were intended to circulate as money. The results were not very favorable, however, so on January 14, 1777, Congress authorized another loan of \$2,000,000 at 6 per cent for which \$200 certificates were issued. State paper money might be offered as loans. On February 22, 1777, a loan of \$13,000,000 was issued in certificates. Article XXIX of the Constitution of 1777 provided that loan officers should be appointed by the Legislature. By November 1777, it was announced that "signal advantages have arisen from the establishment of Continental loan offices, on which Congress continues to place great dependence," hence the states were urged to open subscriptions for loans in each district and to report all names of lenders.

Another loan for \$10,000,000 was called for in 1778. Out of the \$8,000,000 loan authorized in 1781, New York's share was \$373,598 to be raised by taxes and paid to the commissioner of the loan office. Altogether Congress borrowed from the people about \$62,000,000 valued in specie in 1780 at \$7,648,000. After March 1, 1782, interest on these loans was not met.

By the act of March 30, 1778, New York appointed commissioners in all districts of the State to obtain subscriptions of not less than \$200 for these loan office certificates, and instructed them to report all money paid in to the commissioner of the Continental Loan Office of New York. In 1780 through the county commissioners on loans the State borrowed for 6 months or a year sums of \$500 and up at 6 per cent. The list of subscribers numbered 358 persons. Just how much the total amount was is not known but it must have been several hundred thousand dollars. The county colonial loan officers do not seem to have been used in this effort to raise funds.

The Journals of Congress have numerous references to the activity of the loan office for the rest of the war. When Congress found it impossible to meet the interest on the loans in 1783, new certificates with the value of specie were issued, a practice which Robert Morris had denounced in 1781 as demoralizing. In addition to their other duties, on September 17, 1783, the commissioners of loan offices in the states, by order of Congress, also became "receivers of taxes" at a salary of \$500.

There is some evidence that New York tried to float loans through the State Loan Office for state use. On January 17, 1781, the Legis-

lature reported that not more than \$42,500 in certificates had been issued to lenders.

The county loan offices were found by the revolutionary government to be a useful financial agency and pains were taken to keep them active throughout the Revolution. New officers were appointed to fill vacancies. In 1775 money from the loan offices of the city and county of Albany and of Ulster county was used to finance military operations. On March 1, 1776, the Committee of Safety ordered all persons who were indebted to the loan offices to pay their obligations, which sums were to be sent to the State Treasury. On March 9, 1776, the loan officers were instructed to receive the interest due on a loan made in 1771 and "put the same out on loan" again. On September 17, 1776, the county loan officers were ordered to pay all sums in their hands to the State Treasurer, for which he gave a receipt. "All the loan officers in all the counties in this State" were empowered to act "until farther orders" were given. The "Loan Office Minutes" and "Accounts" of Dutchess county still preserved cover the year 1777. The loan officers were still functioning in April 1782, and presumably did so throughout the war. These agencies, however, devised for lending rather than borrowing purposes, do not seem to have been used as much as they might have been to induce the patriots to lend their money either to the State or the nation. Some of the county committees borrowed funds through the loan office, and this practice may have been more general than the scanty sources seem to show. As an illustration, the Albany Committee of Correspondence on February 8, 1777, borrowed £1200 from the Albany County Loan Officers.

With the circulation of such large quantities of continental and state paper money depreciation was inevitable. Gold and silver, never plentiful in the colonies, disappeared. The first instance of depreciation in New York was November 3, 1775, when some merchants raised the price of blankets. To prevent depreciation, the Continental Congress on January 11, 1776, ordered that any person who refused to receive the paper money, or obstructed its circulation, should be treated as an enemy and deprived of all trading privileges. Such a decree was repeated again and again, but without much effect. Prior to the Declaration of Independence the people quite generally received the currency willingly. When the issues exceeded \$20,000,000 trouble began. The exchange value of the paper dollar declined from 139 in 1777 to 4000 by March 18, 1780. After that year paper soon ceased to

pass for money and became an article of speculation. Barbers plastered their shops with the bills in jest, and sailors used them to kindle bonfires. Under these conditions it is not surprising to find the officers of the New York continental regiments petitioning the Legislature for a redress of the injustice which they suffered because of the depreciated currency.

New York became alarmed over this situation and on January 17, 1777, the Committee of Safety asked James Duane, John Jay, and Gouverneur Morris as a committee to "devise ways and means for preventing" the depreciation. This was done before it was known that 3 days previously the Continental Congress to remedy this "most growing evil" had asked the states to enforce its recommendations:

- 1 That whoever offered or received more paper dollars than the nominal sum, or refused to sell for the same, should be deemed "an enemy to the liberties of these United States" and forfeit the goods involved.

- 2 That the states should make the continental money legal tender for all debts and contracts with the cancellation of the obligation in case of refusal to accept it.

- 3 That the states should raise funds at once by taxes to pay off their quotas of the continental bills.

- 4 That the states should loan Congress \$2,000,000 on certificates of \$200.

John Hancock wrote that it was absolutely necessary to suppress the "growing evil" of depreciated money. These recommendations after reaching New York were turned over to Jay's committee for action. As remedies the committee in February 1777 reported: (1) that all monies due the loan office be collected; (2) that a "very considerable tax" be levied; (3) that all money due to creditors outside of New York be paid into the State treasury; (4) that a lottery of 100,000 tickets at \$3 each be instituted with a deduction of \$50,000 to be invested in 500 tickets of the lottery of the United States; (5) that a list be made of the grain in the possession of each individual and the quantity needed by every family; (6) that "engrossers" be forced to sell supplies to the army at a fixed price.

Meanwhile on June 27, 1777, Massachusetts asked New York to join the New England states in a conference to prevent "the depreciation and counterfeiting" of the paper money. Jay's committee advised participation and John Sloss Hobart and Gouverneur Morris were chosen as delegates. The conference met on August 1st and decided to take the state bills of credit out of circulation as soon as possible



through a new loan and at the same time to levy a heavy tax to support the war. The report showed that at the time New York had £187,500 circulating as bills of credit.

The state and county committees took it upon themselves to imprison or fine persons who refused to accept the paper money of the State or Congress. Governor Clinton in 1777 called the efforts to depreciate the continental money "criminal." He deplored the decline in the value of paper money in 1779, and the Assembly told him that the only remedy was taxation, and more of it. A bill was introduced in the Assembly in 1778 to stop the circulation of colonial paper money as one method of improving the situation.

Counterfeiting and defacing the paper money also caused considerable trouble. Such false bills began to appear in May 1776. The first cases presented to the Continental Congress resulted in mild punishments. By imprisonment and stringent laws New York also sought to prevent counterfeiting. The records of the Continental Congress, Provincial Congress and county committees contain numerous instances of fraudulent paper bills. When the Loyalists refused to accept the revolutionary money, the Continental Congress appointed John Jay chairman of a committee to report some course of action.

As the war neared its end, New York made a desperate effort to improve the money. The act of October 7, 1780, sought to procure specie from the sale of forfeited Loyalist lands to redeem one-sixth of the bills of credit issued by the State, to pay interest on the continental loan of that year and thus to steady the currency. In 1781 to stabilize the state paper money a law authorized the Governor, Lieutenant Governor, speaker of the Assembly, the Chancellor and judges of the Supreme Court, and the first judge of each county to fix the general rate of exchange by proclamation. At the same time all acts making paper money legal tender were repealed. The law of November 13, 1781, permitted the exchange of old continental paper for new in the New York Continental Loan Office at \$128 to \$1. The rate of French money was fixed by law.

The effects of the cheap paper money were noticeable in many ways. Perhaps the war could not have been financed without it. On the whole the rich suffered most, and the debtor class gained by it. Speculation was rife and shrewd men made fortunes. Prices were unstable and business was upset. Not until some years after the Revolution was the monetary condition satisfactory.

To be suddenly subjected, by the necessity of war, to the heaviest taxes was a tremendous test of character. To meet the new situation

self-sacrifice and heroism were required. Leaders of the Revolution feared the results of taxation. John Jay in 1775 felt that "light taxes" should be levied at first so as to accustom the people gradually to the huge burden he knew they must bear to win the war. To the New York delegates in the Continental Congress the Provincial Congress wrote on July 25, 1775, that it fully realized "the necessity of laying a tax" on the colony but that "prudence" made it imperative to proceed with caution so as not to incite "popular disgust or perhaps opposition." The obnoxious tea tax was suggested as safer than a land tax. The committee on ways and means on August 30, suggested that £15,000 "ought to be raised by taxes." Four days later the Provincial Congress boldly ordered the issuance of \$112,500 in paper money to be redeemed by taxes.

Later on, the people paid their taxes in any kind of money they could obtain. In addition to state and continental bills, notes and certificates, there were many other varieties of paper money, such as wheat certificates, certificates of the Quarter Master General, State Agent certificates, certificates of the United States Deputy Commissary and loan certificates.

To the credit of New York it should be said that these early gestures toward taxation, for they were little more, antedated by 2 years the orders of the Continental Congress to the states to levy taxes. In January 1777 a vague recommendation for levying state taxes was made, and John Adams was convinced of the necessity of it. On November 22d of that year Congress asked the states for \$5,000,000 in taxes and requested them to issue no more paper money.

After the Government of the State of New York under the Constitution of 1777 began to operate, more attention was given to the financial situation. Gouverneur Morris urged John Jay to exert himself "strenuously in the leading business of taxation" because the continental bills were considered as waste paper and their depreciation was making the Continental Congress impotent. One of the first laws enacted by the new Legislature was the act of March 28, 1778, for raising money for public needs. It stated that the heavy expenses incurred by the civil government and especially by the war made a tax necessary. Hence a tax was levied of 3 pence a pound on all improved land and  $1\frac{1}{2}$  pence a pound on personal property. Assessors made out the tax lists, collectors gathered in the taxes and after deducting 3 pence on a pound for their services turned the balance over to the county treasurer who in turn deducted  $\frac{1}{2}$  per cent for his fees, before sending the money to the State Treasurer. The county sheriffs also played an important

part in this work, as did the supervisors. A second war tax of 1 shilling to the pound was levied on all improved land on March 2, 1779. On October 23d of the same year \$2,500,000 was ordered raised by taxation. The act of March 6, 1780, authorized \$5,000,000 in taxes on real and personal property by apportioning it among the counties, and 12 days later \$2,500,000 was added. The act of October 10, 1780, sought to raise by tax \$150,000 in specie. In 1781 a tax of \$2,500,000 in specie and paper, and £25,000 in specie was authorized, and the next year £52,000. The last year of the war £42,100 in specie was voted to be raised by taxation.

From July 4, 1776, to October 1, 1781, from taxes collected the counties paid the following sums into the State Treasury: Albany £875,720; Dutchess £1,116,141; Ulster £620,008; Orange £280,741; Westchester £79,598; Tryon £32,450; and Charlotte £3,821. This made a grand total of £3,008,481 or \$7,521,200. Payments of taxes were made in continental and state paper money and in notes of February 12, 1780. Of the whole sum £2,725,393 or \$6,713,492 was credited to the United States to meet loans from the Continental Congress.

It was found to be difficult to collect taxes. On October 20, 1778, to facilitate the collections the Assembly passed a bill to appoint "commissioners of taxes" in the counties, but it was rejected by the Senate. The same year a bill passed the Legislature which stated that "whereas many Persons in this State, taking Advantage of the Necessities of their Country, have in prosecuting their private Gain, amassed large Sums of money, to the great Prejudice of the Public, and ought therefore pay an extraordinary Tax" the assessors should include them on the tax lists as they "Shall in their Judgment think proper." This effort to tax the profiteers, however, was disapproved by the Council of Revision. In 1780 to expedite collection a law penalized county supervisors for neglecting their duty in gathering in the taxes and authorized the sheriffs to do it, for which they were allowed 1 shilling on the pound. Permission was given to pay taxes in wheat and rye. The act of July 24, 1782, sought to compel the payment of back taxes, and ordered the county treasurers to send their lists of delinquent taxes to the Legislature. The State Treasurer was authorized to proceed against the county treasurers and thus force them to collect back taxes.

In addition to the state taxes, it must be remembered that local taxes were also collected to improve roads, build bridges, pay local officials, erect public buildings, etc. The Legislature likewise author-

ized the cities and counties to obtain funds for special purposes. For example, in 1778, Ulster county was authorized to raise by taxation £2000 to rebuild the courthouse and jails. Ulster county imposed a number of tax levies and in 1781 was allowed to collect taxes in specie or grain to pay its bills. The city of Albany was permitted to raise £400 by taxation and to levy a tax for a night watch. Charlotte county imposed a bounty tax. The manor of Cortland imposed a tax for the care of the poor. Goshen in Orange county by taxation carried out a drainage project. Haverstraw built a jail in the same way. Kings county constructed a courthouse by taxation. The east district of the manor of Rensselaerwyck was permitted in 1780 to raise £1500. The manor of Rensselaerwyck paid its rangers in 1780 from funds raised by taxes. There were also special taxes for flour for the army, shoes and stockings for the troops, and military supplies.

These large sums, raised by taxation amounting possibly to \$20,000,000, were paid by the people of New York only by heroic sacrifices. This kind of patriotism can not easily be visualized, but it deserves the warmest praise. No sooner had the State begun to tax the people in earnest to pay for the war than the State Treasurer on April 1, 1778, was directed to remit \$200,000 to the United States Treasury for the loan of November 22, 1777. Later loans were paid more promptly. A law of June 29, 1778, ordered all debts due the State paid. All bills of credit issued by the Provincial Congress were canceled as they came into the State Treasury. In 1779 a duty was laid on strong liquors, a practice continued throughout the Revolution, and the money was received by the county treasurers. The act of March 19, 1781, authorized the United States to levy duties on merchandise. In 1781 commissioners were appointed to obtain money on loan for the State, but apparently it was difficult to borrow, for \$411,250 in paper bills was issued — the sum left unused in the "Continental Loan Office." The treasurer was told to stamp all bills of credit "interest paid one year" before sending them out.

When the actual military conflict was ended by the preliminary articles of peace signed in 1782, national and state finances were in a chaotic condition. The Articles of Confederation stipulated that the distribution of the cost of the war should be determined by the relative value of the lands and buildings of each state, but since the ravages of war had seriously affected the property values of some of the states it was necessary to find some modification of the plan. On February 20, 1782, Congress had nominated a commissioner from each state to ar-

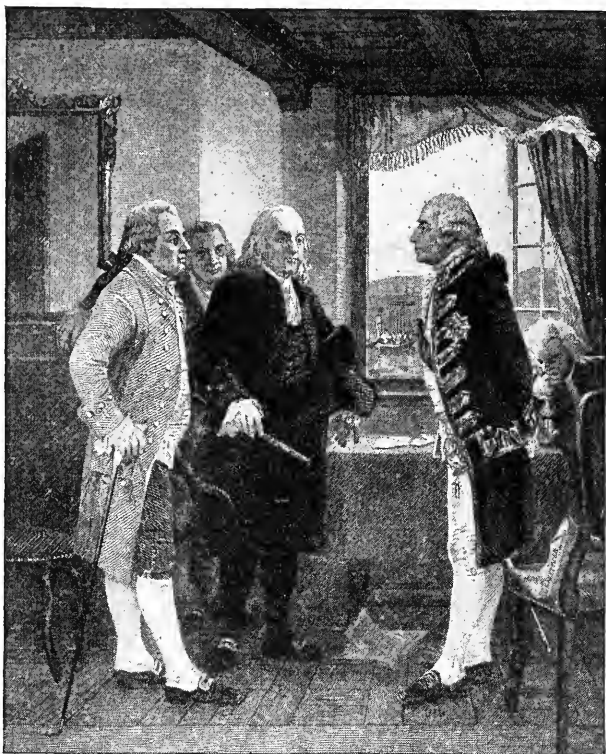
range a settlement of the financial relations between the states and the United States up to January 1, 1782. The Legislature gave Governor Clinton power to approve of the commissioner named by the United States for New York, and voted to entrust the National Government with power to determine New York's proportion of the expenses of the war. Henry Sherburne was named by Governor Clinton to bring about a financial settlement with the national treasurer. On February 17, 1783, Congress directed that a "true estimate" be made of the value of all the lands and buildings and of the number of inhabitants in the several states in order to determine each state's share of the public debt.

In every reasonable way New York cooperated with the United States to facilitate a financial settlement. The act of April 27, 1784, authorized commissioners to search out individual debtors to the national treasury and to help collect the debts. But it took some years after the Revolution to bring about a satisfactory adjustment. The exchange of state and continental securities was conducted by a board of commissioners consisting of William Dunning, Henry Remsen and Comfort Sands.

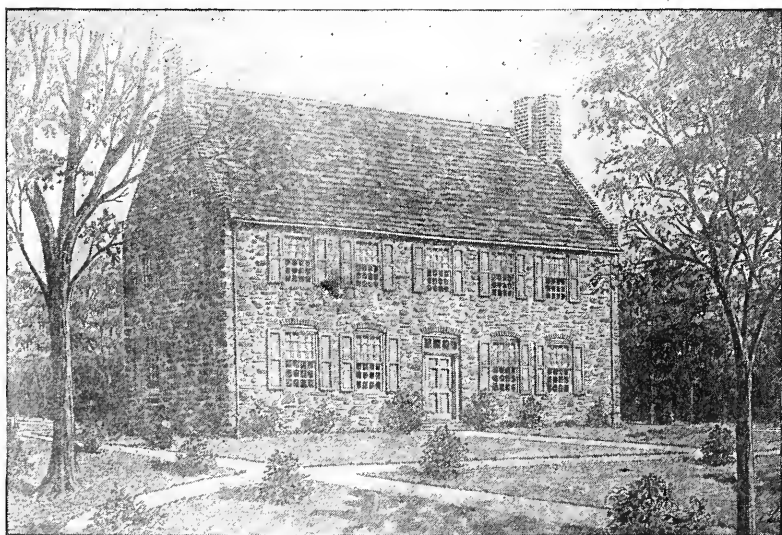


The Old Billop House, at Beutley, west end of Staten Island.

Conference House in 1846  
From Drawing by A. DeGroot



“Interview Between Lord Howe and Committee of Congress”  
From Painting by Chappell in 1866



Restoration of Conference House  
As planned by Chester A. Cole

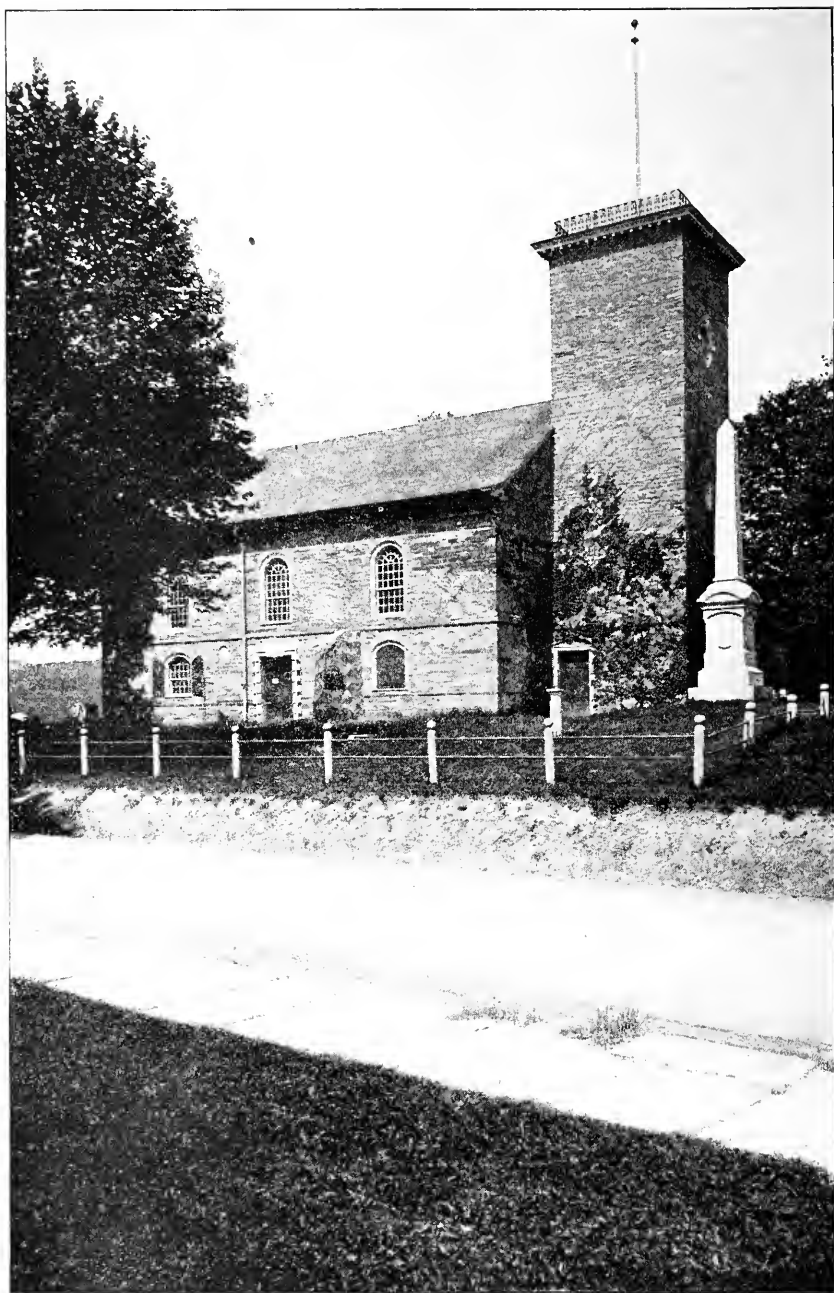
## VII.

### NEW YORK ON THE BATTLEFIELD

For nearly a century the colony of New York was the cockpit of North America—the Belgium of four wars waged between France and England for the possession of the continent. This rivalry centered about the Hudson river-Lake Champlain route, and the Oswego-Niagara-Great Lakes frontier. The brunt of the protection of both these lines fell on New York. New York was the pivotal colony in these wars, just as she was later the “keystone of the arch” in the Revolution. The victory of England was also a triumph for the colonies. Today the old ruins at Crown Point, Ticonderoga, Fort George, Fort Edward, Fort Oswego and Fort Niagara silently but dramatically tell the story of New York’s early military importance.

The sacrifices of New York in those imperial conflicts promoted the union of the colonies. The work of Sir William Johnson won the loyalty of the Indians for the British. The New York Assembly generously voted supplies. Her sons like John Schuyler, Mayor Peter Schuyler, Sir William Johnson and others, gained renown as military leaders. In helping to extend the boundaries of the British Empire, New York made her own territory secure, and hundreds of her men from city and farm in serving under the British flag came to know something of the art of war and the strategic importance of their own colony. They developed traditions of heroism on the field of battle and a pride in their leaders. When the war of the Revolution began, the people of New York were not ignorant of what it must mean in self-sacrifice, hardships, suffering, expense and service.

The “Battle of Golden Hill,” or the “first battle of the Revolution,” occurred in New York City a few weeks before the Boston Massacre. Its historical significance lay in its manifestation of hostility to British authority rather than in any dreadful casualties. The conflict took place on January 19–20, 1770, when British soldiers had succeeded in cutting down the fourth “Liberty Pole” set up by the militant “Sons of Liberty.” The men who resisted the soldiers of George III on Golden Hill “wrote with stakes and sticks their declaration of free speech and the right of public assembly.” A similar conflict took place in May 1775, in the present village of Fonda, between Sir John Johnson accompanied by “Friends of the King” and the patriots led by Jacob Sammons.



Old Stone Fort at Schoharie



When the news of Lexington and Concord, which carried the American cause from the arena of politics to the battlefield, reached New York, the Loyalists were stunned and the patriot party gained the ascendancy. Hancock and Adams on their way to the Continental Congress were met by an escort and greeted with loud cheers. The first British fortress was captured in New York just 3 weeks after Lexington and Concord. The war thereby ceased to be purely defensive and became aggressive.

Ticonderoga and Crown Point were two fortresses in New York occupied by British troops and commanding the northern approaches to the Hudson river, which was the strategic center of British America. The garrisons were not large but the vast quantity of military stores was valuable. The idea of capturing these forts did not originate in New York, however, but in New England. Ticonderoga was taken by Ethan Allen and Benedict Arnold with the "Green Mountain Boys." Arnold claimed the command of the expedition by virtue of his commission from Massachusetts, but Allen refused to recognize that authority, so Arnold went along as a volunteer. With eighty-three men Allen and Arnold crossed the lake from Vermont at day-break on May 10, 1775, and side by side led the troops into the fortress demanding its surrender. Taken by surprise, the garrison surrendered. As the commandant rushed undressed to the door, he demanded to know by whose authority Allen was acting. "In the name of the Great Jehovah and the Continental Congress!" roared the doughty Vermonter, according to the picturesque account which has come down to our time.

Two days later Seth Warner took Crown Point. Thus 200 cannon with a large supply of powder and bullets together with other military stores were secured for the Continental Army now forming. Meanwhile Arnold, reinforced by men of his own command, built in New York waters the first navy of the Revolution, with which he sailed down Lake Champlain and captured St Johns with its garrison and supplies. This was the first invasion of Canada and was made from New York.

In June 1775, the few British soldiers in New York City were ordered to Boston. As they were marching to the ship to depart, Marinus Willett in the name of the local committee stopped the carts carrying the spare arms and seized them for the use of New York troops later.

When the Revolution became open war after Concord and Lexington, and the fall of Ticonderoga, Crown Point and St Johns, the

colonies were confronted with the gigantic task of raising an army and equipping it, of erecting fortifications for defense, of creating a navy and of raising funds to pay for all these military preparations. On assuming the powers of the colonial government, the New York Provincial Congress immediately took up these great problems. From the outset the leaders realized that the war would impose upon them a heavy burden. The enemy would certainly make an early effort to seize New York City; an invasion from the north seemed very probable; the Loyalists were numerous, wealthy and powerful; and the Six Nations were likely to join the British. Confronted by this situation, necessity became the mother of preparedness.



“Arousing the Minutemen”

From copyrighted photograph of painting on exhibition in the Majestic Hotel Galleries, New York City

(By permission of the artist, John Ward Dunsmore)

News of the fall of Ticonderoga reached New York City on May 18th. On convening on May 22d, the Provincial Congress appointed a committee of five from Albany county to superintend the removal of the cannon and stores to Fort George at the southern end of Lake George and there “establish a strong post.” Albany was asked to send troops to guard the prizes and raised two companies. Connecticut was asked to send 1,000 men to hold Ticonderoga and Crown Point, and did so, while New York promised to provide them with food and ammunition. In July 1,000 men were ordered to Albany to serve under Schuyler’s orders. On July 25th the Congress directed that not

over 5,000 men be kept in New York to defend the frontier lakes and the metropolis. The Ticonderoga cannon were not actually removed until the following winter, when General Knox superintended their transportation by water to Fort George and then on sleds to Boston where they enabled Washington to drive the British from the city a little later.

The Continental Congress also acted quickly. In its opening days, General Philip Schuyler called its attention to "the necessity of securing Hudson River." On May 15th, 5 days after Congress convened, George Washington appears for the first time in the records of that body as chairman of a committee to cooperate with the New York delegates in considering "what posts are necessary to be occupied in the Colony of New York." Before the committee could report, Congress directed New York, if expected British troops came, to "act on the defensive" for their own security. The British troops in the city were to be allowed to remain in their barracks; in case of attack New York was to "repel force by force"; the "warlike stores" should be removed, places of retreat provided for the women and children, and men enlisted to protect the city.

Washington's committee reported 4 days later and on May 25th the Continental Congress ordered the erection of a fort near Kings Bridge, the construction of batteries in the Highlands on each side of the river, the arming and training of the militia of New York "to act at a moment's warning," the placing of troops in New York City, and the enlistment by the Provincial Congress of not over 3,000 men and appointment of officers, to serve until January 1st, to occupy the posts on the Hudson and Lake George.

The men from New York in military service during the war may be divided into four groups: (1) those who served in the Continental Army under the command of the Continental authorities and not, after the early stages of the struggle, under the direction or control of the State; the individual soldiers were known as Continentals or regulars, and the organizations as the "Continental Line" or the "New York Line"; (2) the militia, a portion of which was organized as minute-men for several years; (3) the levies, a term applied to several types of organization; (4) those who served in the navy.

*The New York Line.* On June 28, 1775, the New York Line was organized under the resolves of the Provincial Congress and comprised four regiments of infantry and one company of artillery: the first (New York), Colonel McDougall; the second (Albany), Colonel Van Schaick; the third (Ulster), Colonel James Clinton; the fourth (Dutchess), Colonel Holmes; the artillery (New York City), Captain

Lamb. Already the Continental Congress had appointed Philip Schuyler major general and Richard Montgomery brigadier general.

All five regiments participated in the Canada expedition of 1775-76, reenlisting in goodly proportions in November, when the 6 months of their first enlistment was nearly expired. At Quebec the New Yorkers bore a conspicuous part and a number were killed, wounded and taken prisoners. Lamb's artillery was almost destroyed and their commander was dangerously wounded and captured.

In April 1776, when their enlistments expired, a New York regiment was organized from the troops in Canada under Colonel Nicholson and the rest of the contingent returned home. Meanwhile provision was made by the Provincial Congress for the recruiting of four new regiments: first, Colonel McDougall; second, Colonel Clinton; third, Colonel Ritzema; fourth, Colonel Wynkoop. A new regiment was also provided for Colonel Van Schaick. In June, Van Schaick's regiment was stationed in detachments from Half Moon to Crown Point and Wynkoop's was at Ticonderoga; the subsequent service of these two regiments was under General Schuyler. The three other regiments were assigned to protect New York City during 1776 and in August two of the colonels, McDougall and Clinton, became brigadier generals. They were not actively engaged in the battle of Long Island, or in that of Harlem Heights, although present at the latter; thereafter the second regiment was sent into Connecticut on special service. At White Plains the first and third regiments were in McDougall's brigade which bore a principal part in that action; after the retreat through the Jerseys, they were in the battle of Trenton. Then they were sent home to reorganize "for the war," enlistments having again expired.

The quota of the State was fixed at four regiments by the Continental Congress in September 1776 and the Provincial Convention took special pains to secure information as to the character of officers in the line regiments and in those volunteer and militia regiments which had been in active service. The result was the appointment of officers, November 21, 1776, with this roster of colonels: first, Van Schaick; second, Van Cortlandt, who had succeeded Ritzema; third, Gansevoort, late lieutenant colonel of Van Schaick's command; fourth, H. B. Livingston, late lieutenant colonel of Clinton's regiment. To the fifth regiment, which was added to the quota on the application of the State, was assigned in December, Dubois, who had been appointed colonel by the Continental Congress. This was the permanent organization of the line after nearly 2 years of war.

These organizations do not come into the later story of the struggle in the same way as those distinctly under state control and it may

therefore be well to give a very brief sketch of their history. The first (Van Schaick's) was first stationed at Fort George, then in the spring of 1777 ordered to Cherry Valley, and "in May, to Saratoga, companies being detached to Fort Edward and Fort Ann, and to Fort Dayton on the German Flats. Here the first New York remained during the stirring events of the Burgoyne invasion." The following winter was spent at Valley Forge; the regiment participated in the battle of Monmouth and then proceeded with the main army to White Plains, where on July 22, 1778, Washington formed the New York brigade under Brigadier General James Clinton, composed of the first, second, fourth and fifth New York regiments. In the fall of 1778 the first regiment was sent to the northern department with headquarters at Fort Stanwix where it remained until the consolidation with it of the third regiment (Gansevoort's) on January 1, 1781. On that date the second, fourth and fifth regiments were also consolidated as the second regiment under Colonel Van Cortlandt and the history of the two regiments is the same for the remainder of the war. In June 1781 Washington recalled them to the main army on the Lower Hudson and the light infantry, of which each regiment had a company, was detached and formed into a battalion with two companies of New York levies under Lieutenant Colonel Alexander Hamilton. In August began the march to Yorktown and on August 28th Washington organized a light division under General Lincoln of the choicest American regiments; the two New York regiments under General James Clinton composed the left of this division. It is not possible to do more here than to refer to the conduct of Hamilton's light infantry, Clinton's brigade and Lamb's artillery in the siege of Yorktown. Marching north, the regiments went into winter quarters at Pompton, N. J., afterwards moving up to Newburgh. In the summer of that year, Washington reported them "in the best order possible." In January 1783 the regiments marched to their last post near New Windsor, were furloughed on June 8th and honorably discharged on November 3d.

The story of the other regiments can be told still more briefly. The second regiment (Van Cortlandt's) after its reorganization took post at Peekskill and was on service in Westchester county; in August 1777, it was sent north to Albany, was ordered to the relief of Fort Stanwix but got no farther than Schenectady; took part in the battles of Saratoga and the surrender of Burgoyne, then rejoined Washington. It was at Valley Forge the following winter, in the battle of Monmouth, later at White Plains, from which it went to the Ulster county frontier where it remained until April 1779. Marching through the wilderness

to Wilkes-Barre, it joined the Sullivan expedition and was in the action at Newtown. It then returned through Pennsylvania to Morristown where it spent the following severe winter, getting into log huts only after snow was deep on the ground. In the spring of 1780 it was sent to Fort Edward and in November to Schenectady, where it was stationed at the time of the consolidation with the fourth and fifth regiments and remained until recalled to the main army in June.

The third New York regiment (Gansevoort's) was stationed at Fort Stanwix after its organization and defended that post against the attack of St Leger in the summer of 1777. In 1778 and 1779 detachments were on duty at several points in the Mohawk valley and at Albany and in June 1779 the whole regiment formed at Canajoharie and became part of General Clinton's brigade, which joined Sullivan in his expedition against the Indians. The winter of 1779-80 was spent at Morristown, N. J.; it was with Washington in the earlier movements of 1780 and in July took post in the Highlands from which it proceeded to Fort Edward, where it remained until the consolidation.

The fourth New York regiment (H. B. Livingston's) was in the defense of Peekskill, March 1777; in August it marched north to take part in the Saratoga battles and surrender; rejoining the main army it spent the winter at Valley Forge, was in the battle of Monmouth and marched to White Plains. It was then sent to Rhode Island under Lafayette, was present at the siege of Newport and took part in the battle of Rhode Island. Returning to the Hudson in the fall of 1778, it was sent to Albany and in 1779 took part in the Clinton expedition, joining Sullivan and participating in the action at Newtown. The following winter was spent at Morristown and the next summer in the Highlands from which it marched to Fort Stanwix where it was stationed when incorporated with the second regiment on January 1, 1781.

The fifth New York regiment (Dubois) was stationed at Fort Montgomery and Clinton after its organization and participated in their defense in October 1777, when it lost heavily. A considerable portion of the regiment was captured by the British in their final successful assault. It remained on duty in the Highlands and at Newburgh and Peekskill until the fall of 1778 when it was transferred to Albany and Schenectady. In the summer of 1779 it formed part of Clinton's force which went from the Mohawk valley to join Sullivan. The winter was spent at Morristown and the subsequent history is the same as that of the second regiment, with which it was incorporated on January 1, 1781.

In December 1776, Washington was authorized to raise, on Continental establishment and irrespective of state authority or boundaries,

sixteen "additional" regiments of infantry, three of artillery and four of cavalry, whose officers were appointed by Washington and commissioned by the Continental Congress. Many of the officers and men in these organizations were from this State and were after a time credited to it and acknowledged by it. Of the regiments largely recruited in New York were these: First Canadian Continental Infantry, Colonel James Livingston; Second Canadian Continental Infantry, Colonel Moses Hazen; Additional Continental Infantry, Colonel Seth Warner; Additional Continental Infantry, Colonel S. B. Webb; Additional Continental Infantry, Colonel Oliver Spencer; Second Artillery (New York Artillery), Colonel John Lamb; Second Cavalry, Colonel Elisha Sheldon; Fourth Cavalry, Colonel Stephen Moylan; Second Battalion Continental Partizan Legion, Lieutenant Colonel Henry Lee; Corps of Artificers, Colonel Jeduthan Baldwin.

The Second Artillery (Lamb's) was particularly a New York organization and was in the latter part of the war counted as of the state quota. Lamb's artillery company in the Montgomery expedition had been very much reduced by casualties and, after the term of enlistments expired in the spring of 1776, ceased to exist as a unit, but several of the officers were subsequently to be found in the later regiment. Early in 1776 the Provincial Congress provided for a company of artillery and on March 14th Alexander Hamilton was commissioned captain of this "New York Provincial Company of Artillery." At a time when other organizations were being recruited for short terms, Hamilton directed that it be for the war and, though his instructions were not fully carried out, over a third were so enlisted. The company did good service in the battle of Long Island, and especially in the battle of White Plains a few days later; it formed part of the rear guard in the retreat through the Jerseys and displayed such steadiness at Trenton and Princeton as to attract the attention of Washington to its youthful commander, who became his aid-de-camp with the rank of lieutenant colonel the following March. In that same month it was definitely transferred to the line organizations and assigned to the new regiment of artillery (Colonel John Lamb). Another artillery company raised in March 1776 was under the command of Captain Sebastian Bauman and was also transferred to the Continental establishment and to Lamb's regiment.

*The Militia.* Just as the Revolutionary leaders found a political organization and a financial system which they could take over and use, with few though important changes, so they found a military agency ready to their hand. The colonial militia was an old institu-

tion. The militia acts were for a limited period but were regularly renewed and so the organization was permanent. Such an act, as usual for 3 years, was passed by the colonial Assembly on April 1, 1775, 2 days before it held its last session, and gives an excellent picture of the system inherited by the Provincial Congress.

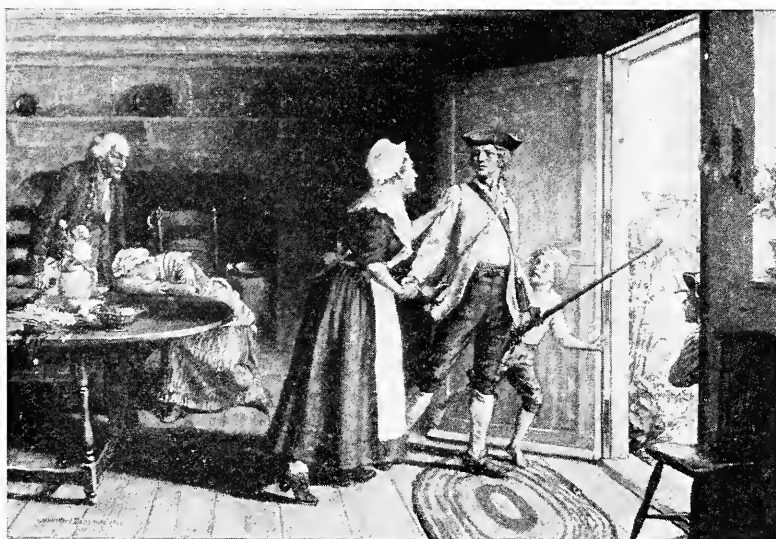
All males between 16 and 50 years of age were required to be enrolled under penalty of a fine and regimental commanders were to enforce a thorough canvass of their districts. Besides the regular militia organizations, there were "troops of horse" and "independent companies" in the cities of New York and Albany. In addition to the arms, ammunition and equipment which every man was required to furnish for himself, the "troopers" had to provide a horse and an elaborate uniform. All were required to attend two training days a year, one of these a regimental gathering, if the company or troop belonged to a regiment. Royal and civil officers, professional men, firemen, millers, colliers, furnace men and slaves were exempted; as were also Quakers. Officers were appointed by the Governor and were given authority to impress boats, laborers and horses in time of danger, when men between 50 and 60 years of age might also be called into service. That such laws prevailed generally through the colonies appears from the militia act of the Continental Congress, July 18, 1775, whose main points of difference were the appointment of company officers by the men and of regimental officers by the provincial authorities, and the organization of one-fourth of the militia as minutemen ready to act on short notice. This continental act provided, however, that any colony having its own militia should be free to follow its own plans.

The Provincial Congress of New York accordingly, on August 22, 1775, passed its own militia act, based upon the colonial system. In keeping with democratic ideas, the officers from captain down were chosen from "associators" by the men of each company, in the presence of two committeemen of the district. The names of the officers chosen were to be forwarded immediately to the Provincial Congress so that commissions could be issued. The higher officers, however, were appointed and commissioned by the Provincial Congress. All officers took an oath of loyalty to the Continental and Provincial Congresses. After the "whole militia" was formed, "every fourth man of each company" was asked to volunteer as one of the "minute men," who were also to organize into companies and elect their own officers. All persons who refused military service were to be reported. Regiments were made up of from five to ten militia companies. The regiments were organized into six brigades—one for New York, Kings and Rich-



mond; one for Albany and Tryon; one for Dutchess and Westchester; one for Ulster and Orange; one for Queens and Suffolk; and one for Charlotte, Cumberland and Gloucester—each under a brigadier general with a major of brigade as adjutant. A major general was “to command the militia of the colony.”

Each militiaman was required to furnish himself with a gun and “bayonet, sword or tomahawk,” ammunition and other necessities, under a fine of 5 shillings for a gun and 1 shilling for a bayonet, sword or tomahawk. He was to keep at his home 1 pound of powder and 3 pounds of bullets. Each company of militia was to meet the first Monday in each month to train for four hours. Regiments were to be trained 2 days each year. “The several companies of horse, already formed or to be formed” were placed under the colonels of foot and “considered a part of such regiment,” and were also to meet for training as frequently as the foot companies. Each trooper was to supply his own horse and his military equipment or pay a fine. Discipline was enforced by fines or imprisonment, and the fines were to be used to equip soldiers too poor to supply themselves. Royal officers, members of the congresses and local committees when engaged in public service, ministers, doctors, sheriffs, jailors, ferrymen, one miller for each mill, and Quakers were exempt, except in case of invasion.



“The Spirit of '76”

From copyrighted photograph of painting on exhibition in Majestic Hotel Galleries, New York City

(By permission of the artist, John Ward Dunsmore)

The companies of "minutemen" were to elect officers as in the case of the militia and to be divided into four sections to meet weekly for half a day, or at least 4 hours, for drill, and the whole company was to assemble every fortnight. "About seven companies" were to constitute a regiment, and the regiments were to be formed into brigades. All the minutemen were placed under the major general of the colony. They were given the pay and provisions of continental forces when called out for active service and were subject to the orders of the continental commander in chief.

In case of an alarm or invasion every man "properly armed" was to join his captain. The captain was to march his company against the enemy and notify his superior regimental officer, who in turn was to report to his superior. At least twice a year captains had to send to their colonels a true list of the men in their companies, and the colonels were required to forward a copy to their brigadier general, who in turn made a report to the major general of the colony. When leaving a district on an alarm or an invasion, a detachment was to be left "to guard against the insurrection of slaves," or these might be taken along and employed "in carrying baggage, dragging cannon or the like." In case any committee believed the public security required a "military watch," the local militia was required to serve. When in military service the militia was subject to all the rules of war of the Continental Congress.

Thus it will be seen that the militia in New York at the outbreak of the Revolution was recruited and organized as under the royal government. The chief differences were in the election of the minor officers by the companies, and the subjection of the militia to committees and Congress. Just as the same men were included, so it is likely that the earlier officers, not Loyalists, were elected or reappointed. The reorganization of the militia proceeded slowly but by September 2, 1775, the Provincial Congress appointed the field and staff officers for four regiments in Ulster county. A draft of a blank form for commissions was approved on September 7th but commissions were not issued until October 25th.

Apparently all did not go well with the New York militia, for on December 18th the Provincial Congress asked a committee of four "to revise and amend the militia law" at once. Two days later the committee reported an "appendix to the rules and orders" which was agreed to: (1) that in elections of officers, militiamen recognize seniority so far as consistent with "true merit and ability"; (2) that where the quota of volunteer minutemen was lacking, the companies be filled "by lot"; (3) that Dutchess and Westchester have two

separate brigades; (4) that in addition to the regular time of training, officers induce small parties to meet as often as possible; (5) that men over 50 years of age be armed though not enrolled; (6) that no new troop of horse be formed unless ordered by Congress; (7) that the minutemen meet twice a month for drill and receive continental pay for the second one. On December 21st the county militia officers were ranked with New York first and Gloucester fourteenth. The seven brigadier generals were also ranked.

The only important change in militia organization took place in June 1776 when minutemen, as a body distinct from the "common militia," were abolished.



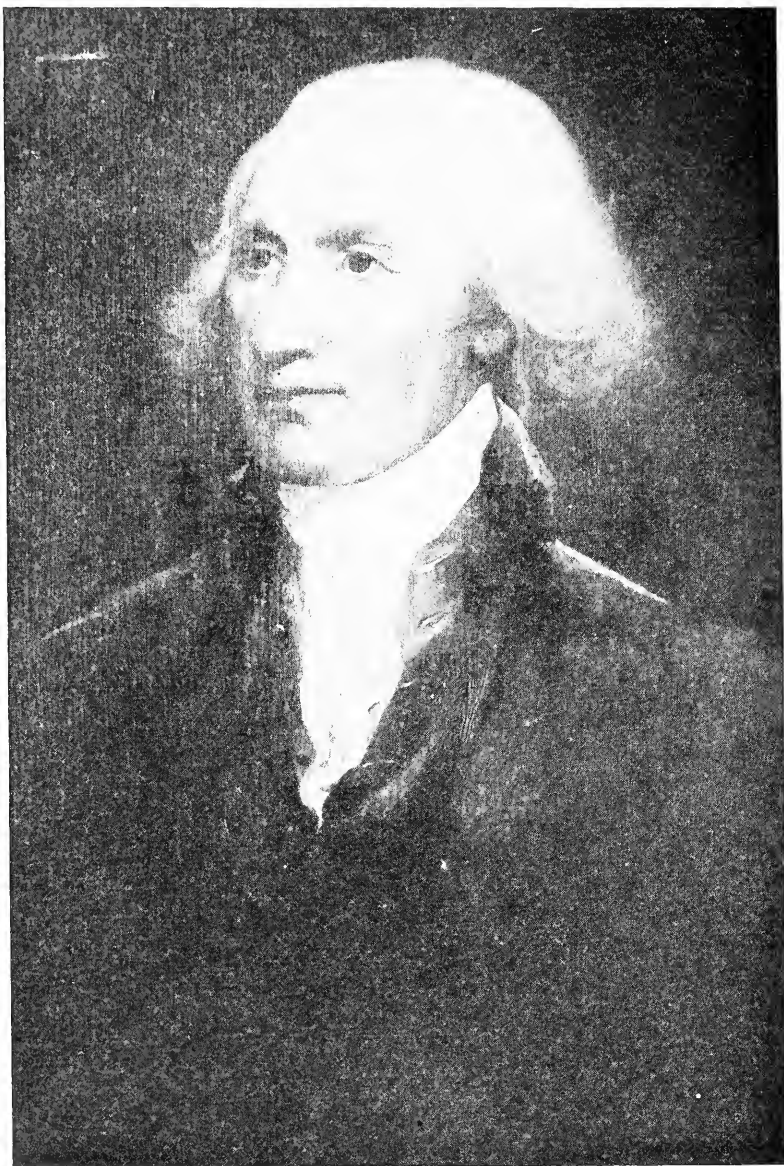
"The Defense of Fort Washington — 1776"

From copyrighted photograph of painting on exhibition in the Majestic Hotel Galleries, New York City

(By permission of the artist, John Ward Dunsmore)

*The Levies.* This was a term variously used to indicate (1) drafts from the militia organized into distinct companies and regiments for short terms of service, and (2) specific organizations enlisted for the defense of the frontiers in 1779 and following years.

The first of these kinds of levies, that is, detached militia, were called out at all times of emergency. In 1776 the counties were called upon to raise their quotas by volunteers from the militia, filling deficiencies by draft; these troops were in part for the Canadian expedition and in part for the defense of New York City. The 3000 men for the latter service were placed under John Morin Scott as brigadier general. The militiamen raised in northern New York for



Philip Schuyler  
Schuyler Mansion, Albany, N. Y.

Canada were allowed a bounty of \$4 each, and \$2380 was voted for the force of 750 men, which the Continental Congress ordered raised. When the Highlands were threatened one fourth of the militia of Westchester, Dutchess, Ulster and Orange was called out on July 16, 1776, on a bounty of \$20 a man with continental pay and subsistence.

As time went on and the need of troops became greater, the Provincial Congress on August 10, 1776, ordered that 20 per cent of the Albany militia be drafted and sent to King's Bridge to serve for 1 month. In Kings and Queens 50 per cent of the militia was ordered to Nassau Island to serve until September 1. General Morris was ordered to call out his whole brigade, the militia of Orange, Dutchess and Ulster was to be prepared for a summons, and General Clinton was put in charge of all the levies. On July 31, 1777, the Council of Safety decreed that since "many able-bodied men" secured exemption from military service under the militia law and also refused to contribute to the expense of the cause, in future drafts all men under 60 years of age without any exception should be enrolled. Exemptions would be made only on the payment of an assessment in proportion to their estates, but it would not be more than \$10, or less than \$1 a month for the period of the draft, except in the case of civil officials and ministers, who were urged to make voluntary contributions. Continental pay was extended to all militia called into service. Measures were also passed to secure better discipline and a more respectful attitude of the men toward the officers.

There were comparatively few instances of rebellion on the part of the New York troops. This shows that they were generally disposed to support the Revolution. Early in the year 1777 some of the militia of Dutchess and Albany counties did show a mutinous spirit and a committee was sent to quell the disturbance. After the leaders were punished by fines, the discontent subsided. The committee spent £252 in this work.

Of the other class of levies, constituting the organizations to which the term is usually applied, the first example was the 700 men authorized in March 1778, to serve until January 1, 1779, to be raised from the militia of the counties of Westchester and Dutchess. In March 1779 action was taken to raise 1000 men to be divided into two corps, of which Lieutenant Colonels Henry K. Van Rensselaer and Albert Pawling were the commanders; other regiments were authorized in subsequent years and were known by the names of the commanding officers, among whom we find the names of Colonel Dubois and Lieutenant Colonels Harper, Willett, McKinstry and Weisenfels. The period of service was usually 8 months or less and was



Mrs Philip Schuyler

*(Courtesy New York Historical Society)*

often designated as "for the defense of the frontiers." They were rarely gathered together as regiments but garrisoned frontier forts and blockhouses in detachments of a few companies, single companies and very frequently even smaller units.

Of course the recruiting of troops both for the Continental service and for the levies continued throughout the war, but the methods already described are typical of later methods. There were some interesting developments of the bounty system in the later years of the war. As the offer of land bounties of 200 acres failed to procure the necessary men to fill the ranks of the line and levy regiments, the militia was divided into groups or "classes" of fifteen men or less, varying at different times and in different counties. Each class was then required to furnish one fully equipped soldier for the line or levy service and could make any arrangement with him that it pleased and found necessary; in return the class received the "right" to the "land bounty" offered for such enlistment. These rights were transferable and the lists of names connected with "land bounty rights" are therefore only records showing that a man belonged to a class which furnished a man for service, not of men who actually served, though these same men undoubtedly also served on militia calls in many cases. Many of these "rights" came by purchase into the hands of men of means, who then selected state lands and obtained "certificates of location" from the Surveyor General, and later military patents. This gave rise to speculation in lands from which some made large fortunes, though it is doubtful whether it was highly profitable on the average.

*The Navy.* It is not generally known that during the Revolution New York had a small navy. This navy operated on Lake Champlain, on the Hudson river and on the ocean. Benedict Arnold with a small fleet of armed vessels, after the fall of Ticonderoga and Crown Point in May 1775, sailed down Lake Champlain and captured the fort at St Johns. In the summer of 1776 after the disastrous retreat from Canada, Arnold built another fleet to check the invasion of Sir Guy Carleton.

Meanwhile the revolutionary government of New York, complying with instructions from the Continental Congress, encouraged the equipment of privateers by supplying funds for this phase of warfare. On August 26, 1775, English vessels with military stores and provisions were forbidden to leave the port of New York without a permit. Quite a few vessels were sent abroad to exchange wheat for military supplies. A marine committee was appointed to supervise the privateers. Commissions were issued to at least twenty-four privateers, possibly



Richard Montgomery



more, among which were the "Washington," "General Schuyler," "General Putnam," "Montgomery," "Congress," "Independence," "Revenge," "Retaliation," "Resolution," and "Enterprise." The names of many of the captains have been preserved, as well as other officers and enlisted men. In addition to her own expenses, New York sent a bill to the United States for £2,715 to pay for armed ships sent out in 1776 and 1777.

The records show numerous instances where these privateers captured British vessels, some of them having valuable cargoes. The "Montgomery" with 24 guns under Captain William Rogers by 1777 had captured eight prizes, with a total value of £6933. The "General Schuyler," "Mifflin" and "Montgomery" captured a brig and a Bermudian sloop. The "Nancy" was a captured British vessel which was fitted out as a privateer. As late as 1781 such vessels as the "Shark," "Porpoise," "Fox" and "Suffolk" were sent out as privateers. The seizure of the port of New York in 1776 by the British, however, made privateering by New York captains difficult and hazardous.

While Washington was preparing to drive the British out of Boston, an invasion of Canada from New York was planned for the capture of Montreal and Quebec. It was learned that Sir Guy Carleton, governor of Canada, was taking steps to recover Crown Point and Ticonderoga, and to use the Iroquois Indians to attack the frontier settlements of New York. The Continental Congress authorized the expedition as a measure of self-defense. Owing to the illness of General Philip Schuyler, commander of the northern department, the hazardous enterprise was confided to General Richard Montgomery. Leaving Fort Ticonderoga the latter part of August 1775 with the New York City regiment of Colonel Alexander McDougall and three regiments of Connecticut troops—about 1200 men altogether—on September 12th with four twelve-pounders he besieged Fort St Johns, which surrendered after holding out for 50 days.

Montreal was taken without difficulty on November 12th and in a proclamation the Canadians, who seemed friendly to the American cause, were urged to send delegates to the Continental Congress. Montgomery then prepared to descend the St Lawrence with his small force to attack Quebec. Meanwhile General Benedict Arnold, in one of the most heroic expeditions of the Revolution, marched through the wilderness of the Maine woods, and reached Quebec on November 13th with only 700 worn-out men. After making an ineffectual attack on the strong fortress, Arnold was forced to await the arrival of Montgomery, who reached Quebec on December 3d with about 500 men. After failing to induce the enemy to come out for battle, it



Nathan Hale Statue, City Hall Park, New York

was decided to carry the works by storm. On the last day of the year 1775 at 2 o'clock in the morning, in a terrific snowstorm the assault was made. In leading the main attack Montgomery was killed, Arnold was wounded, and Morgan was captured. Arnold wintered in the vicinity of Quebec but despite reinforcements in the spring was forced to retreat, stubbornly contesting every step, to Crown Point, leaving Canada in the hands of the British. Had the expedition succeeded, Canada might have joined the United States.

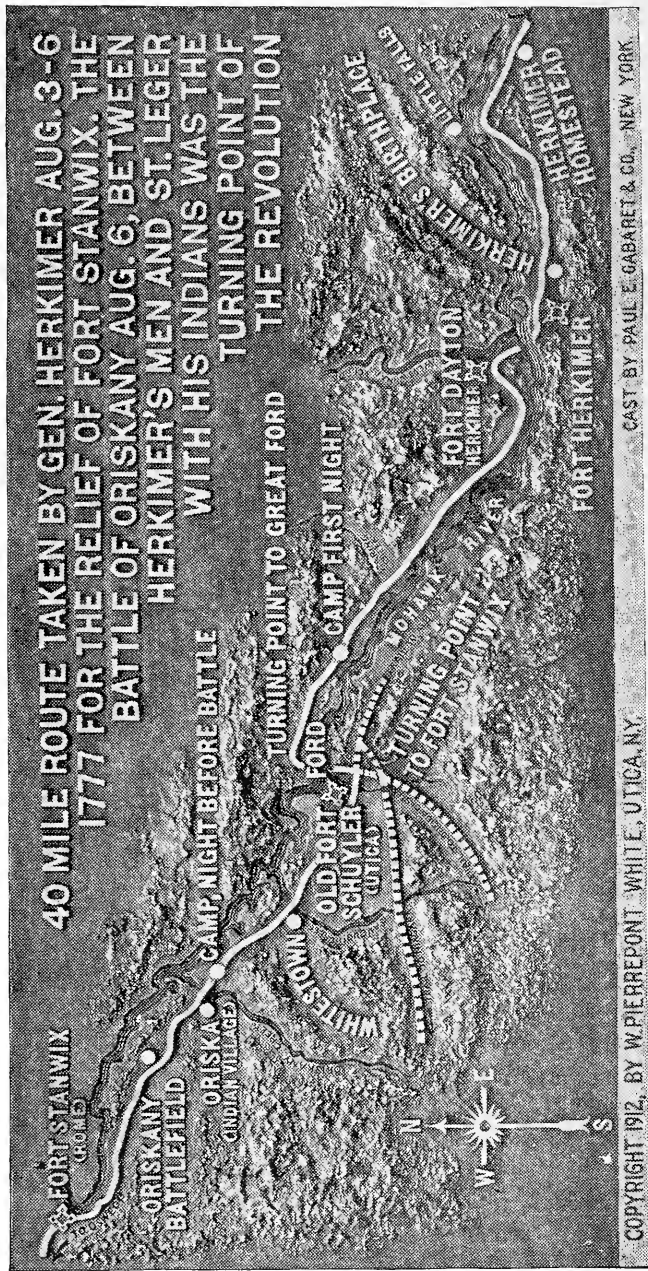
During the summer of 1776 Carleton had launched a fleet on Lake Champlain and was taking an army of 12,000 men up the lake to invade New York. Meanwhile Arnold built a fleet of three schooners, two sloops, three galleys and eight gondolas, and placed seventy guns on them. By September he sailed down the lake to Valcour Island to await the enemy. On October 11th occurred the battle of Valcour Island—the first engagement between an American and a British fleet. Arnold put up a gallant fight, and got his men back to Ticonderoga, although he left Carleton master of the lake. When Carleton appeared before Fort Ticonderoga he found it so strongly fortified that instead of attacking it he retreated to Canada.

While Arnold was leading his forces back to Crown Point, Washington on March 17, 1776, drove the British out of Boston. During the spring of 1776 the patriots of New York were in a state of anxiety.

In February 1776 General Charles Lee was sent by Washington to New York to supervise the defenses there and with him went a regiment of Connecticut men and four companies of New Jersey troops. Fort George was destroyed and batteries were erected.

The failure of the Canadian expedition opened the way for an attack from the north. The warriors of the Six Nations under the leadership of Sir John Johnson, Guy Johnson and the Butlers were raiding the western frontier settlements. Lord Howe's fleet and the British army, which had sailed from Boston to Halifax, were expected to return and attack New York. Washington with his army hurried to New York which he reached on April 13th. His force, however, did not exceed 8000 men and was too small to garrison all the important points around the city. The equipment of the army was inadequate. Congress had ordered a levy of 25,000 militia from New England and the middle states and 20,000 of them soon joined Washington. Governor Tryon and the Loyalists plotted to blow up the magazines and to seize Washington, but the plot was discovered and frustrated.

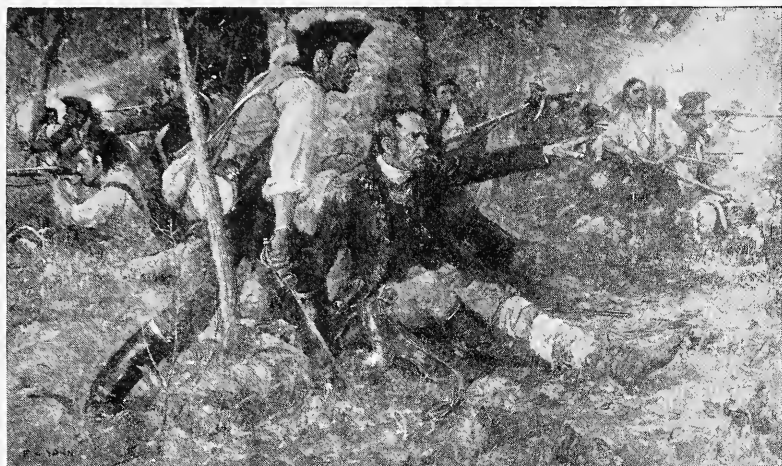
General Howe with 130 sail and 10,000 men reached Sandy Hook on June 28th. A few days later Lord Howe, his brother, reached New York with German soldiers and a British regiment. When Clin-



Map of General Herkimer's March, August 3-6, 1777

(Courtesy of W. Pierpont White)

ton and Cornwallis arrived from the South about August 1st the whole British force was over 31,000 men. General Howe landed on Staten Island, which Washington had not been able to defend. Failing to induce General Washington to consider terms of reconciliation, Howe drew his sword and proceeded to carry out his orders to take New York City, while Sir Guy Carleton was to seize the upper Hudson and Mohawk rivers.

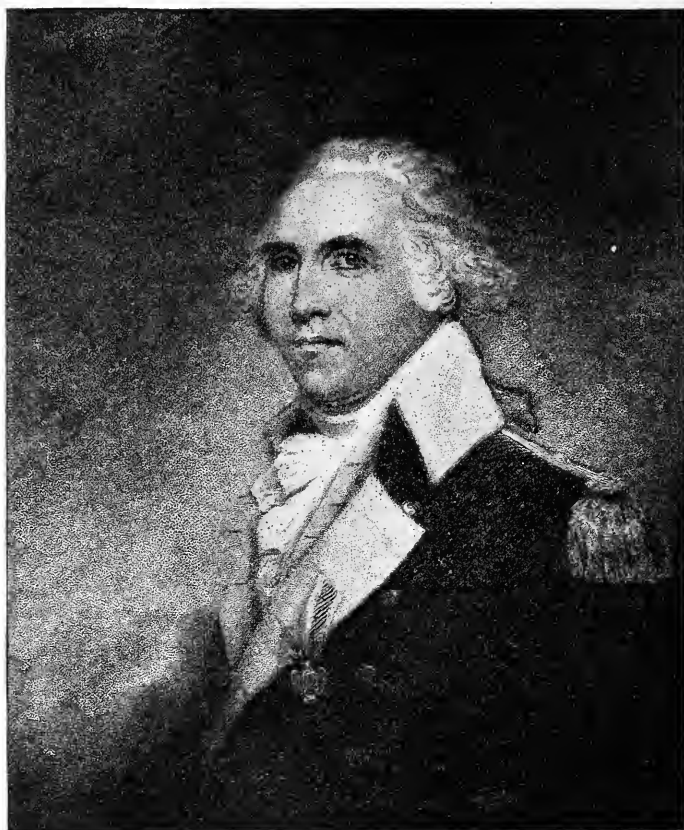


“I Will Face the Enemy”

Herkimer at the Battle of Oriskany (August 6, 1777), from painting by Frederick C. Yohn

(Courtesy Utica Public Library)

The British had the odds greatly in their favor. Their effective soldiers, British and Hessian, numbered 25,000 against 28,000 Americans poorly trained and equipped, but under 20,000 fit for duty on August 27th. The British held the harbor with their navy and thus controlled the key to the situation, while Washington had to distribute his troops in forts around the city. Since Brooklyn Heights commanded the city, much as Bunker Hill did Boston, he stationed General Putnam with 7000 men were behind fortifications. Howe on August 22d landed 15,000 men on Long Island near the Narrows. General Sullivan and General Stirling with 5000 men held the advance lines between the British army and Brooklyn Heights. Howe attacked them on August 27th in front and rear, captured two American generals and 1100 officers and men, and routed the rest. This was the battle of Long Island. On the night of August 29th Washington, who had come over from New York, with great difficulty, but aided



Peter Gansevoort

by rains and a fog, took the army with all the stores, horses and baggage across the river to the Manhattan side — a brilliant military maneuver.

One of Howe's critics said that he had calculated "with the greatest accuracy the exact time necessary for his enemy to make his escape." Another says that never again would he have "so golden an opportunity to end the war with a single stroke." Lord Howe was content with the lesson he had taught the rebels and made another movement for peace. He sent the captured General Sullivan to Philadelphia as a "decoy duck" in the words of John Adams, to ask Congress to send some of their members to confer with him as the king's peace commissioner. John Adams, Franklin and Rutledge met him on Staten Island where they were dined, graciously entertained and flattered. Howe told them that if the Declaration of Independence were rescinded, the reforms and redress of grievances which they demanded would be granted. The "olive branch" was refused. Lord Howe was a warm friend of America and made a last effort to end the war when on September 19th he issued a proclamation in which he said the British government was willing to reconsider the obnoxious acts which had precipitated the war and called upon all fair-minded Americans to choose between this humane promise and the sufferings of an unrighteous war.

Four days after the futile conference, General Howe with ease took New York City. Washington and Greene wished to burn the city but Congress and the Council of War vetoed it. The American forces were withdrawn to Harlem, after some risk of capture by the British. It is said that Mrs Lindley Murray, mother of the famous grammarian, saved General Putnam and 4000 men by inviting General Howe to luncheon. Howe halted his army and while he and his officers were entertained for over 2 hours by their shrewd and charming hostess, Putnam's division guided by Aaron Burr escaped, although he left his heavy guns, tents and blankets behind. Washington now formed his line from the mouth of Harlem river across the island. On September 16th Howe attacked the center of the American line at Harlem Heights. The line was dented but not broken. General Putnam was in command of Fort Washington, which had just been built, and the Hudson river was obstructed. It was at this time, on September 22, 1776, that the young patriot, Nathan Hale, was arrested as a spy within the British lines. He acknowledged his role and was hanged.

Howe's next move was to take the main division of his army up the East river on October 12th for the purpose of getting in the rear of the



Nicholas Herkimer



Americans and also of cutting off communications with New England. Seeing the trap, Washington moved his line from the Harlem river to White Plains with the latter as his base. Nothing was left to Howe but a frontal attack, which was made on October 28th and is known as the battle of White Plains, in which the British loss was much greater than the American. Howe then crossed to the Hudson and went down to Dobbs Ferry where he threatened Fort Washington and a move to Philadelphia, and thus hoped to draw Washington from his strong position at North Castle. To meet this new move Washington sent Putnam with 5000 men across to New Jersey. Washington advised Greene to have Forts Washington and Lee evacuated while he went up to inspect the new fortress in the Highlands. Greene, instead of withdrawing the troops, reinforced Fort Washington, and on November 16th it fell and 2600 of the best American troops were taken prisoners, giving Howe the whole island. Washington crossed to New Jersey and ordered Lee to follow. The scene of war now shifted from New York to New Jersey and Pennsylvania. The Revolution entered its darkest and gloomiest period.

The British military strategy for 1777 was intended to complete the plan of 1776 which in part had failed. Howe had captured New York City and still held it, but Carleton had not taken Crown Point and Ticonderoga. The Hudson-Lake Champlain line with its lateral branch up the Mohawk was to be seized. This would connect the St Lawrence with the ocean, conquer a province full of Loyalists, and cut New England off from the rest of the colonies. The plan as drawn out in London on a map of North America looked simple and easy. It consisted of three major parts: (1) General John Burgoyne was to move up Lake Champlain, take Forts Crown Point, Ticonderoga and George, and then follow the upper Hudson to Albany. (2) Colonel Barry St Leger with a smaller force was to go up the St Lawrence and Lake Ontario to Fort Oswego and there cut across New York to seize Fort Stanwix on the upper Mohawk, and to march down the Mohawk valley to Albany. (3) Sir William Howe was to ascend the Hudson with a fleet and army, capture the fortresses on that river, take possession of the villages and meet the other two armies at Albany.

St Leger reached Oswego about the middle of July, 1777, where he was joined by Sir John Johnson and Colonel John Butler with their Loyalist followers, and a force of Indian warriors led by Joseph Brant. With this army of 1700, he reached Fort Stanwix on August 3d. Early that morning, says Colbraith, a soldier of the garrison during



*John Stow*

the siege. "a Continental flag made by the officers of Colonel Gansevoort's regiment was hoisted and a cannon leveled at the enemy's camp was fired." Tradition has it that this was the stars and stripes, made out of a white shirt, an old blue coat and the red petticoat of a soldier's wife, and here first unfurled in the face of the enemy.

Learning of the danger of Fort Stanwix, General Nicholas Herkimer, a veteran of 60 years, called out the Tryon county militia of which he was commander and hurried to the rescue. By August 5th, with 300 men he had reached Oriskany, only 8 miles distant. Colonel Peter Gansevoort with his garrison of 600 men shouted defiance to St Leger's demand to surrender, when on August 6th he heard the rattle of musket fire to the eastward. Explanation came when three messengers from General Herkimer entered the fort to report that he planned to fall upon St Leger's rear when Gansevoort attacked in front. Gansevoort was to fire three guns as a signal for Herkimer to steal upon the enemy through the woods. The signal guns were not fired, Herkimer's men insisted upon going ahead, and finally the old general against his better judgment gave the order to advance.

In the meantime Brant's Indian scouts reported Herkimer's approach. A detachment of Johnson's Greens led by Watts, and Brant with his Indians, were sent to ambush the Mohawk patriots. About 2 miles west of Oriskany, near where the monument now stands, the road led across a ravine with a swampy bottom on a causeway of logs. The banks were thickly covered with trees and underbrush in which the Loyalists and savages concealed themselves. The main body of troops had marched down into the ravine, followed by the heavy baggage waggons, while the rear guard was still at the top of the hill, when the Americans were surprised by warwhoops and a deadly volley from the two sides. The rearguard had to retreat to save itself. The main body was thrown into confusion. The resourceful frontiersmen soon rallied and one of the most sanguinary battles in the Revolution took place. Neighbors fought neighbors with guns, knives, clubs and their fists. The carnage was frightful and indescribable.

Early in the conflict, a ball killed Herkimer's horse and shattered his own leg. The stalwart old hero had the saddle taken from his dead horse and placed at the base of a beech tree. Lighting his pipe, he sat down on the saddle, and shouted his orders to his comrades. To make matters worse on this memorable August 6th, the rain came down in torrents accompanied by lurid flashes of lightning and heavy claps of thunder. The savages fled, the Loyalists retreated, and the



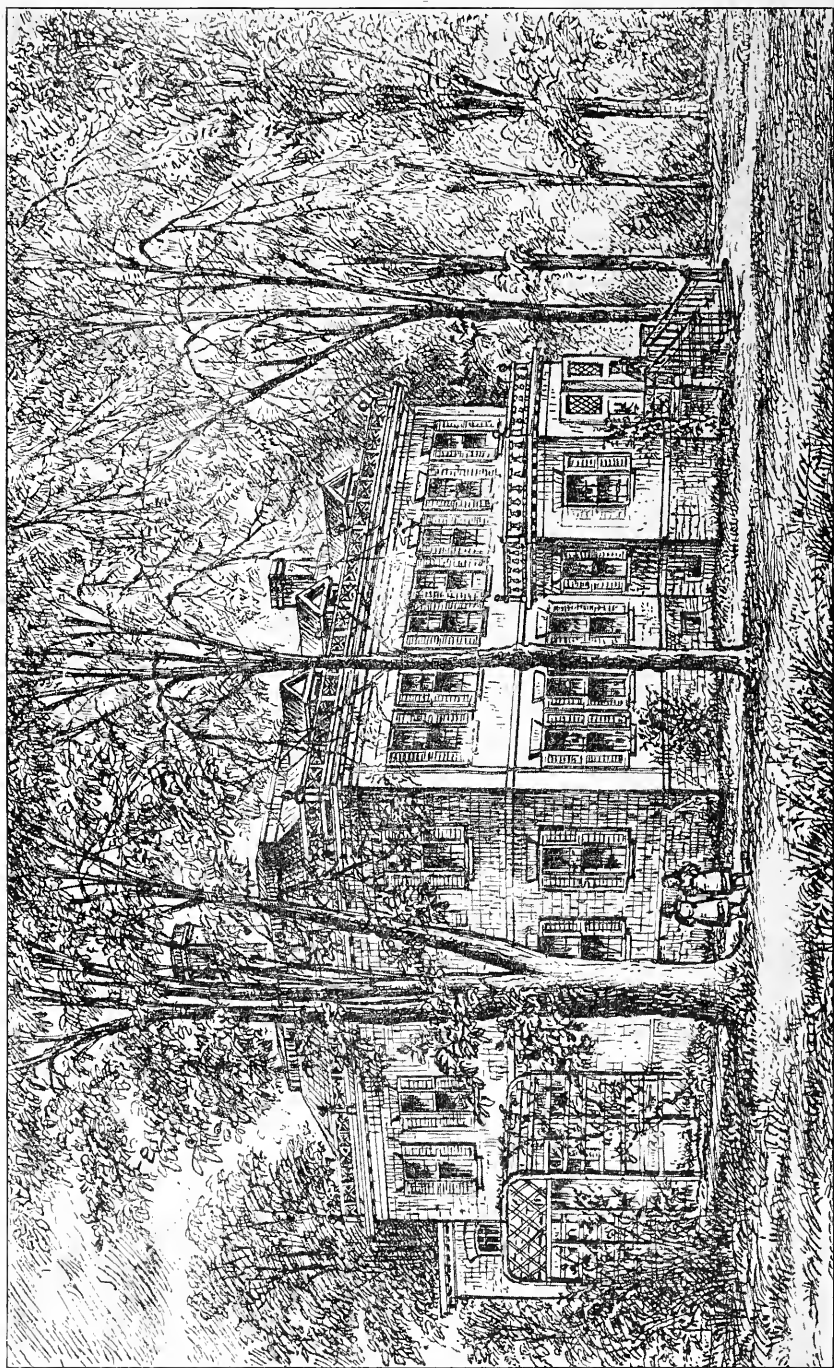
Benedict Arnold

patriots were left in control of the field. But it was said that every family of the upper Mohawk had lost at least one male member in this "most obstinate and murderous" battle.

The sun came out through the wet leaves. The three signal guns were heard. The crackling of muskets announced that the expected sortie from the fort was taking place. St Leger's camp was invaded and seven wagons were thrice laden with food, blankets, clothes, tools and ammunition. Five British standards and all of Johnson's papers were captured and the British flags were displayed on the fort and above them the new American flag. About forty surviving wounded patriots were carried back to Oriskany. Among these was the courageous General Herkimer, who was slowly conveyed to his home, where on account of the unskilled treatment of his wound he died a few days later propped up in bed, calmly smoking his consoling German pipe, and reading the 38th Psalm in the big family Bible.

The battle of Oriskany and the bold sortie of the garrison of Fort Stanwix, or Fort Schuyler as the patriots for a time called it, prevented St Leger from attempting the conquest of the Mohawk valley. The resistance of the garrison, the fickleness of the Indians, and finally the arrival of General Arnold with 1200 men, sent at the personal solicitation of Colonel Willett, who made a hazardous journey to Schuyler's headquarters, caused St Leger and Sir John Johnson on August 22d to beat a hasty retreat to Oswego, leaving all their tents, stores and artillery in the hands of the Americans. Only a remnant of the army reached Montreal. Thus the important western part of the British strategy of 1777 failed. Arnold and the Mohawk militia were free to join the forces against Burgoyne.

To General John Burgoyne was entrusted the invasion and conquest of New York by way of Lake Champlain and the upper Hudson river. On June 1, 1777, he took the field with 7902 men, of whom 4135 were British regulars, 3116 German troops under Baron Riedesel, 148 Provincials (native Canadians and Loyalists from New York and New England) and 503 Indians. To these should be added several hundred Loyalists, not part of the military establishment. With him were some of the ablest English and German officers in the war. On July 1st he appeared before Ticonderoga, which was defended by St Clair with 3000 patriots. By July 5th the Americans were surprised to see Mount Defiance swarming with redcoats and bristling with cannon. This alertness and resourcefulness of the enemy threw them into a panic. St Clair under cover of night took his army across the lake to Vermont, saving such



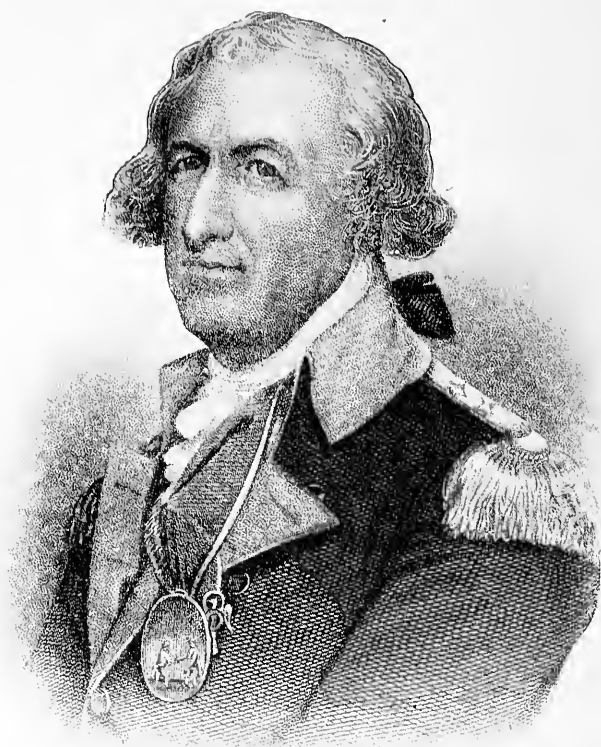
Schuyler Mansion, Albany

guns and stores as he could carry and leaving the rest behind. The British took possession of the empty fortress and General Fraser with 900 men, followed by General Riedesel with his Germans, hurried forward to catch up with the fleeing Americans on their way to Castleton and Fort Edward. Leaving 1000 men in Fort Ticonderoga, Burgoyne started up Lake Champlain with his main army.

The fall of Fort Ticonderoga was greeted with joy in England. "The Americans have no men of military science," wrote Burgoyne. "I have beat all the Americans!" exclaimed George III to the queen when he heard the news. The patriots were indignant and despondent. The president of the board of war declared: "We shall never be able to defend a post until we shoot a general!" General Schuyler was blamed for the disaster. St Clair was later tried before a court martial but vindicated. It was General Gates who was at fault in not fortifying Mount Defiance for he had been in charge of Fort Ticonderoga until June 1776 and, although his attention had been called to the danger, he ridiculed it.

By July 10th Burgoyne's entire force was at Whitehall, the head of Lake Champlain, only twenty miles from Fort Edward, the American camp. With the humble ax, saw, sledge, spade and crowbar, Schuyler obstructed the poor road with fallen trees and at places flooded it and destroyed the bridges and footlogs. So well was this work done that Burgoyne's advance averaged only a mile a day. Not until July 30th did he reach Fort Edward, only to find that Schuyler had crossed the Hudson and retreated to Stillwater. This was a wise precaution but Schuyler was denounced for not risking battle. Meanwhile the militia of New York and New England were hurrying to join Schuyler, and the Vermont militia was menacing the British rear. The patriots destroyed their crops and drove away their horses and cattle. Little aid was given to Burgoyne by the Loyalists on whom he had counted so much. The barbarities of the Indians, and particularly the cruel murder of Jane McCrea, aroused the patriots to fury and a vow of revenge. From far and near the farmers and their sons seized their weapons and rushed to Schuyler's aid.

Burgoyne began to feel the need of horses, cattle and food. Learning of supplies at Bennington in Vermont, Colonel Baum with 500 Germans and 100 Indians and some Loyalists and British regulars was sent to seize them on August 13th. The next day Lieutenant Colonel Breyman with 500 more Germans was hurried forward to support him. The battle occurred at Walloomsac, within the present boundaries of New York, on August 16th. Colonel Baum was surrounded

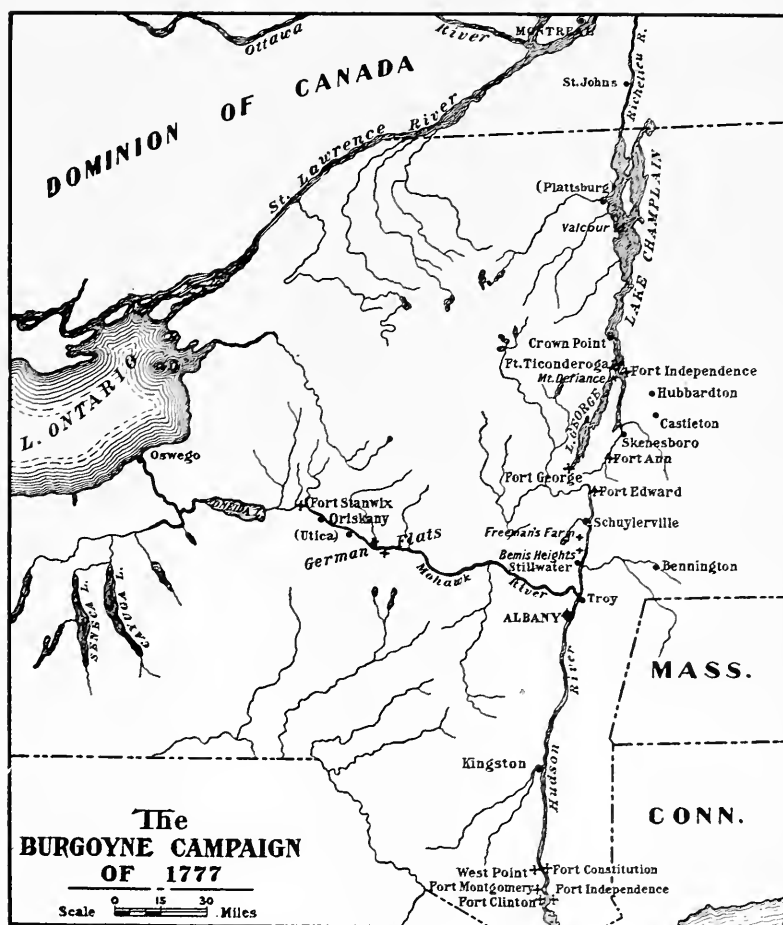


*Horatio Gates*



and defeated, as was also Breyman's force. It was a complete and brilliant victory, and did much to revive drooping spirits of the Americans. General Stark was the hero of the hour. More recruits poured into Schuyler's camp. Meanwhile news of Oriskany and St Leger's retreat was received with joy. Arnold hurried back from the Mohawk. Morgan arrived with his famous riflemen, and Putnam came up from the Highlands with reinforcements. There was keen disappointment, however, when General Gates arrived on August 2d with orders from Congress to supersede General Schuyler.

On September 13th General Burgoyne on a bridge of boats crossed the Hudson to the west bank and prepared for battle. The first

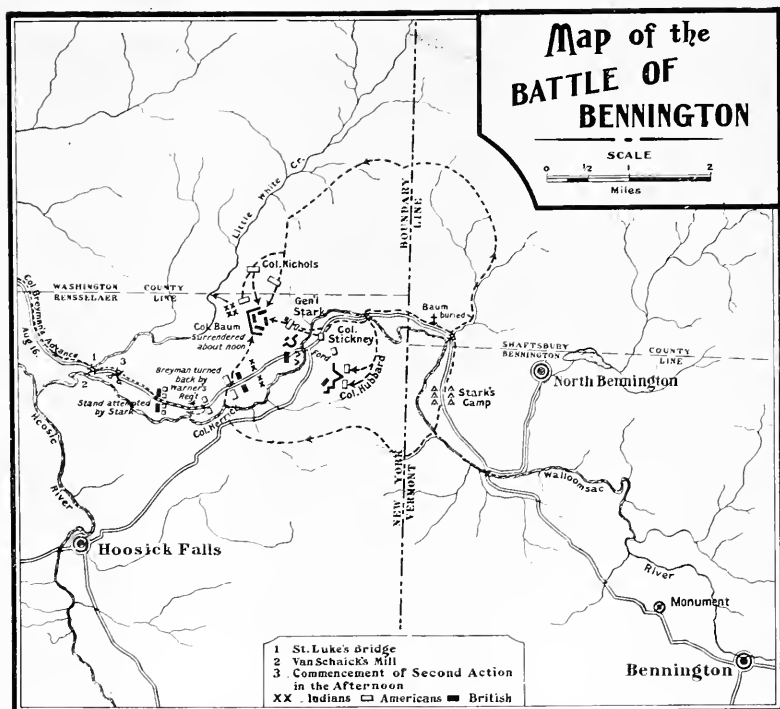


Map of Burgoyne Campaign



*Jr. G. M. G. G. G.*

day of the conflict occurred on September 19th at Freeman's farm, and might have been decisive had Gates acted with more aggression and wisdom. As it was, the outcome proved to be a deadlock. Burgoyne now waited for news of Sir Henry Clinton's ascent of the Hudson river. Meanwhile the Vermonters had cut off the communication of supplies of Burgoyne to the northward. Food was scarce in the British camp. The recruits to the American army were increasing daily, and now numbered 16,000. In this serious predicament Bur-



Map of the Battle of Bennington

goyne resolved to make an attempt to break through the American lines. The second battle of Saratoga took place on October 7th and the British were totally defeated. Burgoyne gathered his broken forces and slowly retreated only to find himself completely surrounded by foes. On October 17th he surrendered.

It will be well now to see what happened to the third part of the military campaign for 1777. The conquest of the Hudson valley was as vital as the triumph of Burgoyne. The success of the enterprise depended upon the action of the two movements at the same time.



Daniel Morgan



Sir Guy Carleton

Burgoyne had positive instructions. It is now known that Howe was also to receive similar orders but Lord George Germain forgot to send them, hence Howe thought he had discretionary power. Therefore; instead of moving toward Albany, he started for Philadelphia. The expedition up the Hudson was entrusted to Sir Henry Clinton, who waited for the arrival of 3000 soldiers from England and did not make a start till October 5th. Within 3 days he had captured Forts Montgomery, Clinton and Constitution in the Highlands and thus opened the river to Albany. His message to Burgoyne was intercepted. The news of Burgoyne's defeat was so disheartening that after burning Kingston, Clinton dismantled the fortresses and hastened back to New York City.

Saratoga was the most important military engagement between Lexington and Yorktown. Not only was it the decisive battle of the Revolution but it has gone down in history as one of the fifteen decisive battles in world history. It changed the rebellion into a Revolution in the eyes of other nations. It called forth forces that created a nation. It gave the Americans a new confidence that enabled them to prolong the war until victory came in 1783. It brought more recruits with a finer morale into Washington's army. It knit the colonies together in a closer union. It raised up new friends in Great Britain, among them even General Burgoyne. It gave America prestige and credit abroad on which badly needed loans of money were secured. And finally it brought into the struggle on the American side, first France and then other nations and thus practically insured victory for the American cause.

The year 1778 was comparatively quiet in a military way in the Hudson valley. The British held New York City and the surrounding territory, but the Americans were in complete control of the strategic line from the metropolis to Canada. They were cut off from the ocean but found ports in neighboring states. This year saw the devastating raids of the Butlers and their Loyalists and Indian allies on the western frontier settlements. No other state bore the brunt of border warfare to a greater degree than did New York. With the exception of about half of the Oneidas and some of the Tuscaroras, the entire Iroquois league sided with the British. With firebrand, scalping knife and tomahawk they hung "like the scythe of death" on the frontier settlements. Sir John Johnson, Guy Johnson and John and Walter Butler were influential men in the Mohawk valley and induced many of the colonists to oppose the Revolution. Johnson's tenants, Scotch Highlanders and Irish, formed the nucleus of the Loyalist soldiers, organized as the Royal Greens and Butler's Rangers. The Indian chief, Joseph Brant, lead the Indians.

General will no longer bear to lose men,  
for the pitiful consideration of potatoes  
or forage, the Life of the Soldier is  
the property of the King, and since  
neither friendly admonitions, repeated  
injunctons, nor Corporal punishment  
take effect, after what has happened,  
the Army is now informed and it is  
not doubted the Commanding Officers  
will do it solemnly, that the first Soldier  
caught beyond the Advanced Sentries,  
will be instantly Hanged.

Burgoyne Orderly Book Entry of September 18, 1777, just before the Battles  
of Saratoga

(From original in New York State Library)

In May 1778 Cobleskill, a settlement of about twenty families, was plundered and burned. Many of the settlers were killed, and the remainder escaped to Schoharie. In June Springfield at the head of Otsego lake was burned and the men and livestock were driven away as spoils of war. In July Andrustown near German Flats was burned. Some of the inhabitants were killed and others taken prisoner. In September German Flats was laid waste for 10 miles along the Mohawk river. In October Unadilla was burned to the ground, and 4000 bushels of corn were destroyed. In November the massacre of Cherry Valley occurred, in which thirty-two persons were slain. The whole frontier was terrorized by these depredations. The men took up arms and heroically defended their homes, wives and children, but in such a vast wilderness were unable to defeat the wily foe. Piteous were the appeals to the State, to the county committees, to the military leaders and to Congress for armed troops.

The next year, 1779, a raid was organized against the Indians. When General Gates curtly refused the appointment, to General Sullivan was assigned the task of raising 5000 men and of making an expedition of 400 miles through the wilderness to attack the savages. General James Clinton was in charge of the New York wing of this army. He sent Colonel Van Schaick from Albany with 585 men to punish the Onondagas. These Indians were dispersed, some were killed, thirty-nine were taken prisoners, and their village and supplies were burned. Meanwhile the Indians retaliated by attacking Minisink on July 20th. General Clinton moved his troops from the Mohawk valley by way of Otsego lake to join General Sullivan on the Susquehanna. Colonel Daniel Brodhead was to come up from Pittsburgh to cooperate with Sullivan. On August 28th Clinton and Sullivan joined forces. With about 3500 men the expedition began. The Indians and Tories sought in every way to impede its progress, but at last the Genesee country was reached. Forty Seneca and Cayuga Indian villages and 160,000 bushels of corn and beans were burned. The plum, peach and apple orchards were destroyed. Gardens were laid waste. Hogs and chickens were taken for food. Sullivan had been ordered to proceed to Niagara and capture that British post, but the season was so far advanced that he did not attempt the undertaking. A terrible punishment, however, had been inflicted on the red men for their loyalty to the British crown and for their marauding raids in 1777 and 1778. The confederacy never recovered from the blow. This expedition helped to establish the western boundaries after the war ended. On the lower Hudson the American cause was strengthened by the storming of the fortress on Stony Point by Gen-



A stylized, handwritten signature in black ink. The signature is cursive and appears to read 'H. Clinton'. It is positioned below the engraving.

Sir Henry Clinton



eral "Mad" Anthony Wayne on July 15, 1779, and the capture of 543 prisoners.

The year 1780 witnessed raids by Indians and Tories on the Mohawk, Carleton's raid on the upper Hudson, and Arnold's treason on the lower Hudson. In revenge for Sullivan's expedition the preceding year a party of Indians and Tories burned Riemensnyder's



Silas Town Monument on Spy Island, Lake Ontario

Bush on April 3d and carried off nineteen prisoners. Harpersfield was destroyed on April 5th and a few prisoners were taken. Little Falls was attacked in June but with small damage. Canajoharie was burned on August 2d, about seventy settlers were killed or captured, and 300 horses and cows were seized. The Schoharie valley was raided October 16th but the forts were not taken. The Mohawk valley from Fort Hunter to Fort Plain was devastated, and Colonel John

Brown with 150 men was defeated at Stone Arabia on October 19th while the neighboring farms were plundered. The marauders were attacked by General Robert Van Rensselaer at St Johnsville, but escaped to the Unadilla valley.

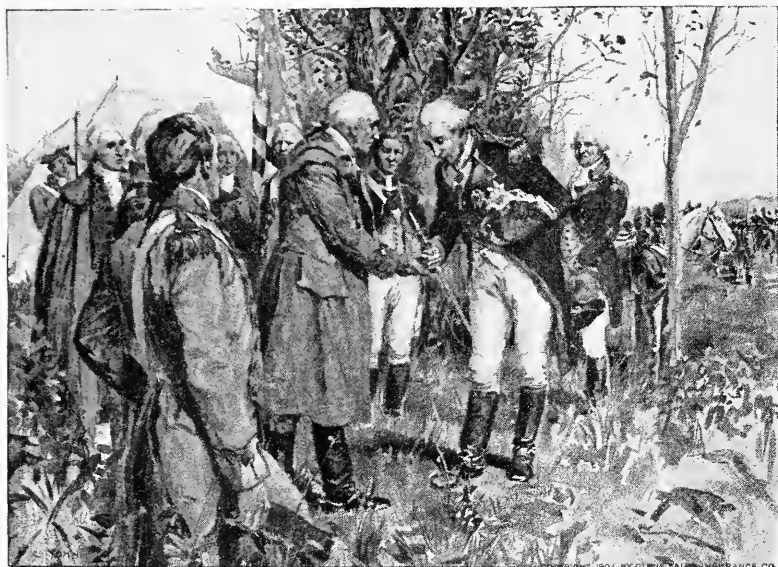
Head Q<sup>rs</sup> New York Island, Sept: 22: 1776  
 Parole London  
 Count: Great Britain  
 the 2<sup>d</sup> & 6<sup>th</sup> Brigades & 3<sup>d</sup> Batt: of  
 Light Infantry & Artillery as ordered for to  
 day are to March to Mares at 9 o'clock under  
 the Command of L<sup>ieut</sup>: Gen: J: Percy  
 The Packet for Europe will be ready to  
 sail Tuesday the 24<sup>th</sup> Inst:  
 A Spy for the Enemy (by his own full  
 Confession) Apprehended Last night, was  
 this day Executed at 11 o'clock in front  
 of the Artillery Park

British Record of Execution of Nathan Hale

(Courtesy New York Historical Society)

In the year 1781 the disturbances on the frontier continued. On June 30th Currietown, 3 miles back from the Mohawk river, was attacked by 300 Indians and a few Tories led by John Doxstader. The place was set on fire, several persons were killed, and the rest of the people made prisoners. This marauding party was attacked at Sharon Springs by Colonel Willett and Captain McKean with 162

men and put to flight with a loss of forty. During the summer, Ulster, Schoharie and Herkimer counties were frequently annoyed by small parties of Indians and Loyalists. The last battle of the Revolution on New York soil was fought October 25th near Johnstown. Major Ross and Walter Butler with 600 Loyalists and Indians moved from Oswego to Warren's Bush, the first home of Sir William Johnson, killed two men, burned twenty houses and destroyed much grain before Colonel Willett with 400 men could hurry from Fort Rensselaer to their aid. When he arrived at Fort Hunter, he learned that Ross



Surrender of Burgoyne, October 17, 1777

had gone to Johnstown and started after him. The battle took place just north of the village, and was fierce and sanguinary. Attacked in front and rear the enemy after early success fled in disorder. Willett was soon in hot pursuit and made another attack on Ross's men at Jerseyfield, where Walter Butler met his death. Cornwallis had surrendered at Yorktown a few days before the battle of Johnstown.

It was a great relief to the border settlements to have the war ended. Tryon county alone, it is said, lost many lives, had 700 buildings burned and 150,000 bushels of wheat destroyed, had 12,000 farms abandoned, and counted 380 widows and 2000 fatherless children.

After the surrender of Cornwallis at Yorktown in 1781, Washington returned to New York and took up his headquarters at Newburgh.



*Jno Sullivan*





Anty Wayne

by neglect. In the lists preserved, names are duplicated because men were continually changing from one organization to another and names were so carelessly written that identification is impossible. No doubt men from New York joined regiments of other states and hence their names do not appear on the New York records. Prior to the establishment of the State Government, which did not function properly until 1778, there are almost no records of the service of the militia and this includes the crucial year of 1777. State Archives compiled by Berthold Fernow and published in 1887, list about 40,000 names. New York in the Revolution as Colony and State, second edition, compiled from records then in the office of the State Comptroller, gives a total of 43,645 soldiers. For the whole period of the war, including all individuals who saw actual military service, and allowing both for names that do not appear and those which are duplicated, this number is probably approximately correct. One must remember, however, that at no time were that number of men, or any large percentage of them, actively engaged. The number in service varied greatly from year to year and the maximum number was under arms in 1777 at the battle of Saratoga.

The strategic importance of New York was fully appreciated by the British and the patriots alike. It is a fact of no slight significance that out of the 308 battles and engagements of the Revolution, 92, or nearly one-third, took place on New York soil. What this meant in the destruction of property, in the loss of life, in terror and turmoil; in demoralization and discouragement, and in costs direct and indirect may to some slight extent be imagined but cannot be fully realized. At the same time, in no other state were the Loyalists and Indians so active in waging guerrilla warfare and in frontier massacres. Finally, no other state had its chief city and only seaport continuously in the possession of the enemy after the summer of 1776, thus completely cutting off all communication by water and threatening an invasion of the interior by water as well as by land. From 1775 to 1783 the people of New York were in perpetual fear of attacks by the British navy, British armies, the Loyalists and the Indians. The population of the metropolis in 1776 was 20,000, but after the evacuation by the British and Loyalists in 1783 it dropped to 10,000. Nor was this State at that time the Empire State in population. Ranking only eighth among the thirteen colonies, its population of 185,000 constituted about 6 per cent of the population of the Union. A small state in population, but tremendously important because of its strategic situation, that situation brought upon it such a burden of war as was not felt by any other of the United States.



Marquis de Lafayette

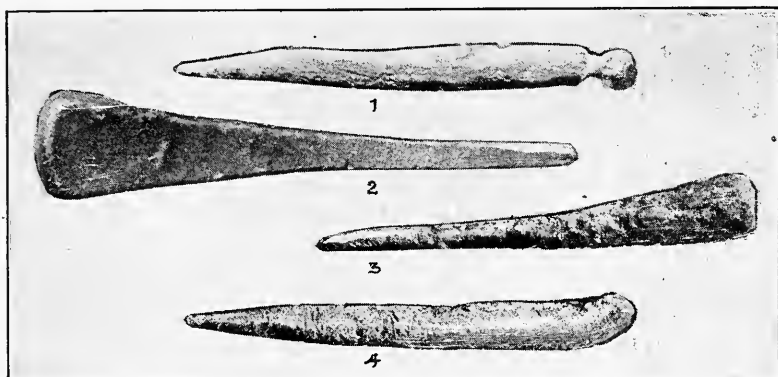
*(Courtesy New York Historical Society)*



## VIII

### HOW NEW YORK SUPPLIED THE ARMIES

The noncombatants of New York made their contributions to the military victory of the Revolution in money, food, clothing, arms and ammunition. This entailed labor and deprivations on the part of civilians that merit praise. It is rather difficult to realize that salt pork, wheat, linen, wool and leather were as necessary to the conduct of the war as guns and powder, but such was the case. It took the spirit of self-sacrifice and a supreme faith in the American cause to induce the farmers to exchange their products for paper promises that were almost worthless before the war had progressed very far.



Lead Pencils

Found on Revolutionary Camp Sites

(Courtesy New York Historical Society)

It has been estimated that the patriots by selling produce to the United States for paper money lost about \$40,000,000. New York's share of that loss would approximate \$5,000,000.

The whole problem of equipping and supplying the troops was attacked in a businesslike manner. The first step was to organize an efficient agency to superintend the work. Hence on June 2, 1775, just a little more than 3 weeks after the capture of Ticonderoga and Crown Point, Peter T. Curtenius, an experienced New York merchant, was appointed commissary of the Provincial Congress for the whole colony. By February 10, 1776, his duties were so heavy that he was relieved of the supervision of New York City and county, and Richard Norwood was given charge as commissary of military stores in



*Vicars Fish*

that area. In March of that year there had been collected in New York City 106 barrels of pork, 97 barrels of beef, 2694 barrels of flour, and 32½ tons of bar iron. On August 8, 1776, Curtenius was allowed £5000 on account. He was compensated by a commission of from 1 per cent to 1½ per cent on purchases and was allowed his expenses. If he advanced his own funds, he was to receive interest on his money. Norwood was paid \$18⅓ a month for his services. These commissaries took their orders directly from the supreme political body in New York, to which reports were made from time to time. On May 9, 1777, John Lasher was selected as state commissioner of military stores at a salary of £200 a year. County committees acted on their own initiative and did not always wait for instructions from the commissary. For instance, on June 22, 1775, the Albany county committee ordered the Schenectady committee to supply 20 wagons "on the public credit" to carry provisions to Lake George.

As early as May 29, 1775, the Schenectady committee called a mass meeting to find out who had arms and ammunition. The committee later forbade the waste of powder in celebrating New Year's Day.

Curtenius had a staff of assistants consisting of one agent, three deputies, seventeen subcommissaries, eight commissaries of purchases and numerous storekeepers and clerks. When Abraham Livingston accepted the contract for victualling the troops, a bond of £30,000 was required in 1776 and he was voted £5000 to make purchases. John Wiley, appointed commissary of purchases in 1780, was supplied with such sums as £100,000 and £150,000. David Currie received £19,000 between 1777 and 1779 to supply the continental troops with articles not allowed by the Commissary General, and his purchases included port wine, brandy, rum, sugar, chocolate, pepper, coffee and tobacco as well as the staple articles of food. The items for beer, rum and liquors were numerous. Beer was supplied at public expense "to encourage the people to enlist;" rum was served as a ration to encourage the soldiers to work; and charges for rum "for the use of the public" were common. Tea was used also as a beverage for the troops. In 1779 the Continental Congress asked the states to supply army officers with rum, sugar and tea.

A State Agent was created in 1780 and the office, which was filled by Colonel Udney Hay, was continued till the spring of 1783. His salary was £800 a year. His duties were diverse and multitudinous. As general purchasing agent and paymaster, and also deputy quarter master general of the United States, he handled large sums of money for both the State and Nation. He bought paper for the "new money,"

and paid the salaries of the Governor's secretary and legislators. He made a plea to the people for a supply of beef for the army and was authorized to impress 4000 barrels of flour, or an equivalent in wheat, and casks to hold it. He straightened out bills against the State. It was his business to prevent a monopoly in cattle and to see that they were not sent to the enemy. He was authorized to pay for supplies with certificates issued by himself. He supplied provisions on account to the United States to the amount of £95,150. The State Agent had a staff of assistant state agents for state work and also county state agents.

Thus it will be seen that the organization for handling military stores and provisions was quite as systematic and as efficient as the military establishment. Yet the histories of the Revolution have little or nothing to say about this work, which must be comprehended if one would understand what the Revolutionary War really was.

In February 1776 a storehouse was ordered built in New York City, another was erected in Westchester county and no doubt others were located where needed. Usually, however, existing buildings such as churches, and the homes of Loyalists were used for this purpose.

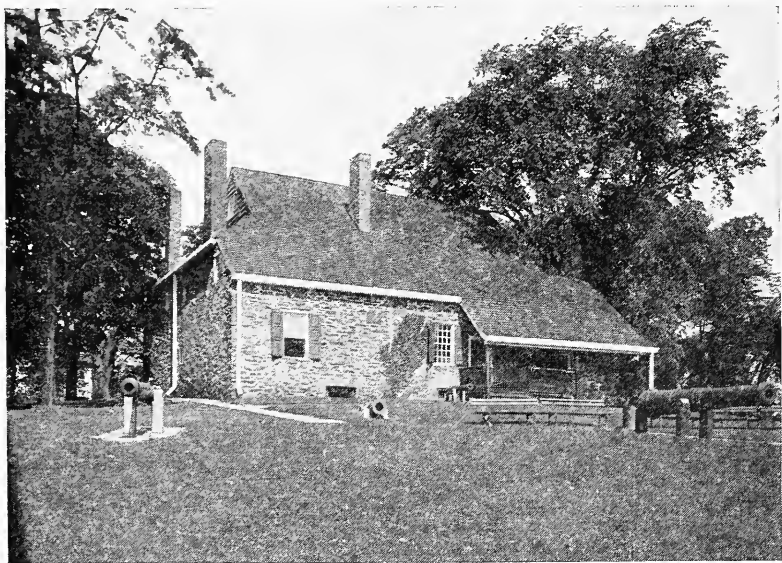
From time to time inventories of the military stores in the State were made out. Lists of supplies in the records are frequent and give an idea of the complexity and difficulties of the commissary department.

To equip the continental troops, and the state military units with everything needed for effective warfare was a gigantic task in itself. After funds were supplied, there still remained the arduous work of securing clothing, arms, cannon, powder, cannon balls, medicines, bullets, tents and camp equipment and other munitions, which were extremely difficult to obtain. Cloth for uniforms, caps and tents had come mainly from Europe. The war cut off additions to a stock already depleted by the faithful observance of the nonimportation agreement. Not much attention was paid to the uniforms at the very beginning because the soldiers were expected to equip themselves as best they could. Tents had to be supplied, however, and this was one of the first concerns of the Provincial Congress.

The earliest order received from the Provincial Congress by Curtenius was to purchase 427 pieces of good "raven duck," 182 yards of ticking to make tents, and to obtain 26 "bell tents." A committee of three was named to have the tents made at once.

On June 28, 1775, to equip 3000 men with necessary articles the Provincial Congress ordered Curtenius to purchase "on public credit" enough coarse blue broadcloth to make 712 "short coats" with crimson

cloth for cuffs and facings; light brown coarse broadcloth for 712 "short coats" with blue cuffs and facings; gray coarse broadcloth for 712 "short coats" with green cuffs and facings; and dark brown coarse broadcloth for 712 "short coats" with scarlet cuffs and facings. At the same time he was told to obtain 1000 stand of arms, 20,000 oil flints, 8000 pounds of lead, 40 reams of cartouch paper, 2852 gun worms, 2852 screwdrivers, materials for 14 bell tents, 169 pieces of raven duck, 520 camp kettles, 2852 canteens, 2852 haversacks, 800 small hatchets, 400 "falling axes," 80 pickaxes, and 400 spades. Two weeks later this order was supplemented by another including Russian



Washington's Headquarters at Newburgh

drilling for 1500 waistcoats and the same number of trousers; "low-priced linen" for 3000 shirts; 500 hats; 1500 pairs of shoes; 3000 pairs of coarse homespun hose; and "proper linen" for 3000 cravats. This was an expensive order for New York and it shows with what businesslike enthusiasm preparations for war were made at the outset.

John Alsop of Philadelphia on June 28th was told to hurry to New York 2850 blankets which were badly needed. On July 4th Curtenius was ordered to get "uniform coats" for the noncommissioned officers. In the fall of 1775 two shiploads of wheat were sent to Europe in exchange for shirts and stockings as well as powder. On July 31st Curtenius was instructed to forward "clothing" to the second regiment at Albany. Two days later he was told to purchase the necessary

cloth to make tents. His next recorded duty in this particular was to buy and send to Albany 600 blankets, 600 "tomp lines," and 720 pairs of shoes. A list of supplies mentioned in February 1776 included "frocks" for the soldiers.

These diverse orders present a good illustration of the difficulties in clothing and shoeing the soldiers. As the war continued, of course cloth became scarcer and more expensive. On October 3, 1776, the Provincial Congress voted £6000 to Lott and Livingston to buy cloth, shoes, stockings, blankets, leather and other articles. They were paid their expenses and allowed a commission of  $2\frac{1}{2}$  per cent on pur-



Knox Headquarters, near Newburgh

chases. Four days later the Continental Congress sent \$10,000 to New York to purchase clothing. These necessities were purchased in New England and in Pennsylvania. On December 27, 1776, it was reported that Hayman Levy at Philadelphia at a cost of £11,000 had bought 6000 shirts, 1109 pairs of leather breeches, 134 dozen of hose, 85 felt hats and 500 wooden canteens, which would be forwarded to Esopus. The records are full of frantic appeals from officers for clothing, shoes and tents for their troops. On April 19, 1776, the Committee of Safety implored the people on the farms to raise larger quantities of hemp and flax, and to improve the breed of sheep with a view to a greater wool crop. Persons who sold or ate lambs and

ewes were denounced as enemies of their country. This action was based on the recommendation of the Continental Congress. The looms were kept humming by the women and even men asked to be freed from military service for that work. On March 8, 1776, John Ramsay was voted £1333 to employ the poor of New York in spinning flax. Indeed, 4 months earlier a society for employing the industrious poor had been organized. On July 30, 1776, two patriots petitioned the State Convention to free their workmen and themselves from the militia so that they could make linen. That much flax was grown is shown by the fact that in 1775 permission was granted to export flax seed to Ireland. A "flax committee" was appointed in October 1776 to give work to the dependent refugees in weaving and spinning. Houses were rented, and considerable cloth was made in this way.

Large quantities of hemp seed were purchased and given to farmers in New York and New Jersey. On May 9, 1777, William Allison was given £1000 to buy hemp in Orange county. Hemp was needed for ropes and other purposes.

The capture of Ticonderoga and Crown Point early in May 1775 presented New York with its first problem of multitudinous military supplies. General Schuyler reported from that region, July 21, 1775, that he had no boats, "not a nail, no pitch, no oakum"; that ammunition was scarce; that not a gun had a carriage; that the troops were "very badly armed"; and that "one poor armorer" was expected to repair all their guns. Tools were early hurried to the garrison at Ticonderoga. Curtenius was instructed on July 31st to send to the Second regiment at Ticonderoga, 720 pouches and bayonet belts, 720 brushes, 720 canteens, 4320 flints, 720 haversacks, 120 camp kettles and clothing. As early as July 31, 1775, Dr John Jones and Dr Malachy Treat were appointed to examine the medicines for the army and to report to the Provincial Congress. A medicine chest went to Albany for the troops on Lake Champlain. On August 26, 1775, Isaac Sears reported that he had collected five cartloads of medicines, and Doctors Jones and Treat were asked to inspect them and fix their value. A motion in the Provincial Congress to supply two brass kettles of 10 gallons for each company raised in the colony was lost by a vote of 17 to 2. Orders were sent to Philadelphia for parchment for drumheads and "good drums" were made in the colony. In 1776 there was a bill for drummers and fifers' clothing, various kinds of cloth, thread and buttons amounting to £188-16-9.

A search authorized by the Provincial Congress for supplies in New York City in 1775 resulted in finding 140 boxes of candles, seven blankets, eighty pairs of sheets, twenty-four bed ticks, twenty-six

bolsters, and fourteen halberts. On February 10, 1776, Curtenius was ordered to collect 600 pickaxes, 300 hatchets, 500 hand barrows, 300 wheelbarrows, 200 crow bars and 500 iron-shod shovels for General Lee. Among the items in another list were 108 valises and 2752 tomahawks. On December 7, 1775, Curtenius sent out to the county committees 7150 pounds of balls and 28,500 flints; and 5 days later 10,000 pounds of balls and 50,000 flints. These items assembled from the official records give only a partial picture of the difficulties confronting the revolutionary government of New York in equipping an army.

One of the most difficult problems was to supply guns and cannon. Fortunately every farmer owned at least one gun and took it with him into service. But the men in the cities and villages and younger sons of farmers were not owners of firearms, as a rule, and had to be supplied. On September 12, 1775, £4000 was voted by the Committee of Safety to send a vessel to Europe to purchase powder and arms, and this vessel was followed by several others. Robert Boyd and Henry Watkeys on June 13, 1775, offered to make 1000 good muskets with steel ramrods and bayonets with scabbards at £3 15s each New York money. The Provincial Congress accepted the offer and advanced £100 for tools. Another order on August 2d called for the purchase of 880 pouches, belts, bayonet belts, musket slings and "2000 of each of those articles already contracted for." On September 12th James Byers was given a contract to make brass six-pounders at 4 shillings a pound, each to weigh 650 pounds, but there was some haggling over the price. In December McDougall was told to buy the necessary "cartouch paper," and the minute men of Jamaica were hired to make them at 16 shillings each. Stores for the artillery were assembled and a contract for shot was let. Curtenius was kept busy sending out the supplies collected, and this activity continued throughout the war. "Lead and flints and refining sulphur" were reported at Kingston. New York promised to replace the ammunition used by Connecticut in taking Ticonderoga. Efforts were made to purchase powder in the West Indies. The officers complained continually of the scarcity of military stores notwithstanding these frantic efforts to supply them.

John Henry, the state clothier, collected muskets and sent them to Colonel John Lasher, the commissary. Muskets were also taken from Tories. From New York City 500 muskets were sent north to General Schuyler. In 1775 sixteen guns were bought for continental troops at prices from £1 to £7. In 1776 Cornelius Atherton made £700 worth of muskets with bayonets at £3 14s each. Captain Thaddeus Noble contracted for thirty muskets at \$8 a piece. In June 1776 the "Grant"

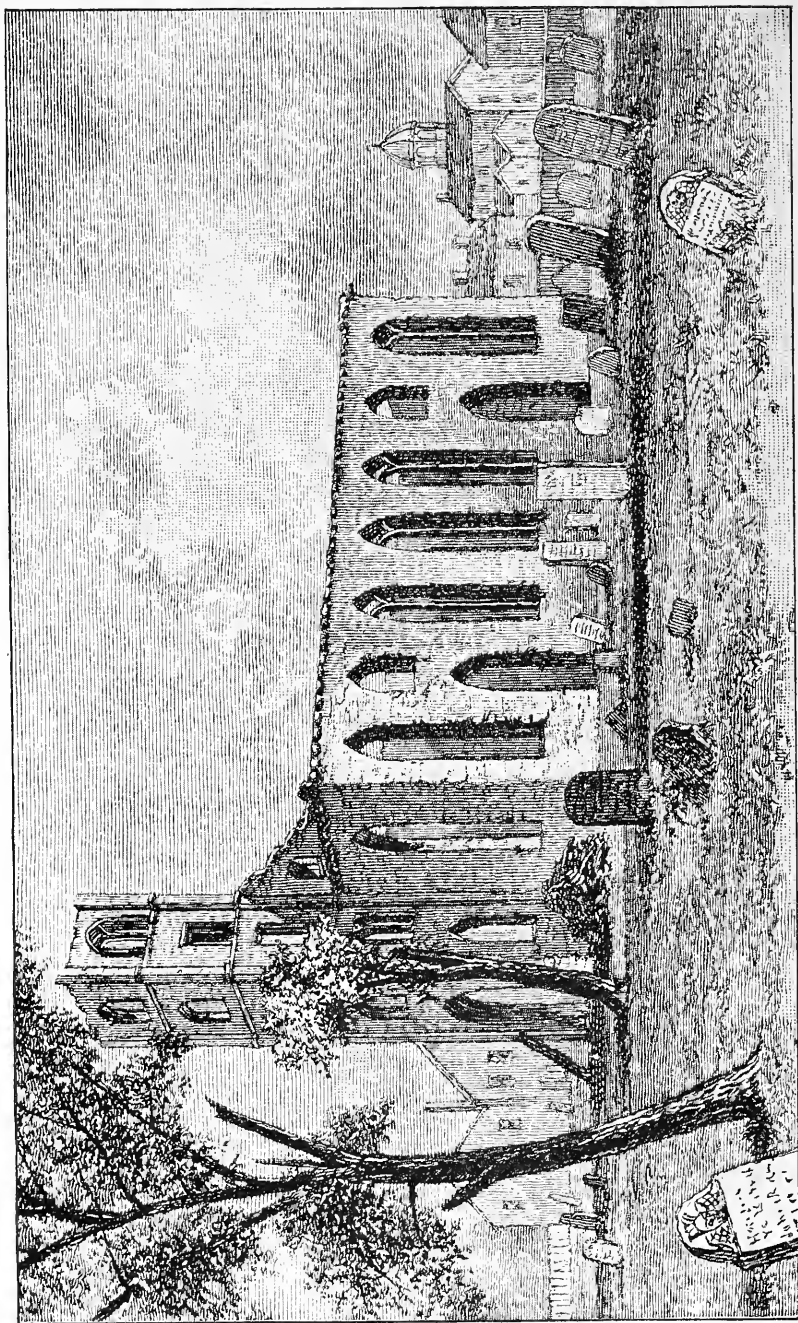


brought 263 guns from Marseilles. In July Curtenius was authorized to buy 600 or 700 French muskets at \$11 each. In 1776-77 the committee of Rombout precinct, Dutchess county, delivered 431 guns to the State. In 1777 a bounty was offered by the Provincial Congress of £20 for every 100 muskets delivered to the county committees. In 1776 a "committee to procure lances" was named and local persons were authorized to collect 800 lances in five different counties.

The items for shoes and stockings in the records are numerous. An appeal was made to the patriots of the State on January 27, 1777, to furnish stockings at 12 shillings a pair and blankets at 45 shillings. The county committees were instructed to collect these articles, pay for them and deliver them to Albany for distribution among the soldiers. Special committees were appointed to scour the State for clothing and stockings.

The Provincial Congress on April 15, 1777, paid £600 to the Ulster county committee for stockings and blankets. The county committees collected hides, had them tanned, and then used them to repair old shoes or make new ones. Local shoemakers were thus employed at 18 shillings to 20 shillings a pair. Stockings were made and delivered in the same way. In 1778 the supervisors were ordered to buy shoes and stockings. In 1779 the making of shoes and stockings was apportioned among the counties with permission to pay \$8 for shoes and \$7 for stockings. Delinquents were fined. Shoemakers were exempt from military duty.

In 1777 David Currie, a commissary for the New York Line at 24 shillings a day, bought clothing in Massachusetts and elsewhere for the soldiers. There was a state clothing store. John Henry, appointed State Clothier on February 14, 1777 at a salary of 10 shillings a day, delivered clothing to the various regiments. In 1779 his title was changed to Director of Clothing and his compensation was increased to £65 a month. Other names appear also as assistant state clothiers, Cornelius Cregin being named with Henry in 1777. From March 1777 to January 1779 Henry's accounts amounted to £4157-10-5. An inventory of the articles of clothing in the state storehouse, when he assumed office, and sent to the Convention on March 1, 1777, reveals the great variety of articles, from mittens to blankets, needed by the army. The Continental Army had a clothier general. During the latter part of the war special commissioners of clothing were appointed to obtain loans for the purchase of cloth, suits, shirts, hats, stockings and shoes. Overalls came into general use as uniforms. In 1780 an effort was made to fix the price of these articles. Special efforts were made to equip the officers. Uniforms were not supplied to officers who served



Ruins of Trinity Church during Revolution

for less than 1 year. In 1779 the color and character of the uniforms of the New York troops were designated. New York presented to the Continental Congress a bill of £33,892-10-7 for clothing.

Early in the war, linen, shirts and blankets were bought in France. When importation was cut off, cloth was purchased in Connecticut and Pennsylvania, and made up into garments in the country districts. The linen-clad American troops had an advantage in the lightness and coolness of their uniform and the ease with which it could be washed. A "clothing committee" had charge of clothing supplies and large sums were voted for clothing by New York and the Continental Congress. In 1778 Curtenius was made "commissary to purchase clothing for the State" and thus added this work to his other duties.

On October 20, 1776, Curtenius, who had gone to Philadelphia for supplies, informed Bancker, the State Treasurer, that he had purchased 1109 pairs of buckskin breeches, 1608 pairs of stockings, 85 felt hats, 1939 check shirts and 1928 white shirts for the use of the New York troops. He suggested that the local committees be permitted to purchase similar supplies. He also reported that he had bought enough linen to make 2000 more shirts, that he would soon have 1400 pairs of shoes, that he had ordered 200 pairs of buckskin breeches, 213 deer skins, 400 shirts, 160 felt hats, 200 rifle frocks



The Provost of New York City in 1783

and 90 pairs of shoes. To obtain these articles he was forced to use some of his money, hence he asked for £15,000 to pay the bills.

In 1780 monies derived from the sale of confiscated estates of Loyalists were used by Curtenius under authority of the Legislature to purchase officers' and soldiers' uniforms, shirts, stockings, boots and shoes, and blankets to the amount of \$177,000.

To stimulate the manufacture of firearms within the colony, the Provincial Congress on March 16, 1776, agreed to lend £200 to any man in any part of the colony who would manufacture gunlocks. The first person to produce for sale 500 gunlocks was to receive a premium of 4 shillings on each gunlock above the regular price. The next person to produce 300 was to have 3 shillings premium. The third person to produce 250 gunlocks was to have 2 shillings premium. A loan of £400 for 2 years without interest was offered to any one who would erect a factory north of New York City to bore musket barrels. Similar premiums were offered for such work. The Committee of Safety authorized contracts for 5000 stand of arms made in the colony. In June 1775 a bounty of £20 was offered for one year for every 100 good muskets manufactured. An armory was built by the State in 1777 near Fishkill and blacksmith shops were used for repairing old weapons. These heroic beginnings slowly supplied the weapons needed, but not until the latter part of the war was the supply of arms adequate. Workers employed in producing weapons of war were exempted from military service.

New York had a fair quantity of iron but was short of lead. One Patrick on July 3, 1775, offered to make iron balls in his blast furnace. As early as September 15, 1775, inspection of the old lead mines in the State was ordered. Men were sent to Goshen, Newburgh, New Canaan and to points in Orange and Dutchess counties to examine the mines which the Continental Congress ordered worked. Reports of lead mines in the State were sent in, but stated that upon investigation they were found worthless.

Since no paying mines were found, lead was a difficult article to obtain in New York. Small quantities were brought in from Connecticut. At Fort Montgomery the weights of fishnets were collected. Pewter dishes were melted down for bullets. Finally the window weights were used—over 100 tons being secured in New York City—and a list was kept of those who contributed them. This lead was sent all over the colony and helped to save the American cause. Other places in the State gathered lead in similar ways. Newburgh sold 186¾ pounds of lead to Colonel Hasbrouck's regiment at Fort Montgomery.

The lack of powder was keenly felt. The small supply in private hands in the colony was soon exhausted. In May 1775 the county committees were clamoring for ammunition. Frantic efforts to sell wheat abroad for powder were defeated by British control of the seas. Then New York fell back on its own resources. On June 9, 1775, a committee of three made a survey of the saltpeter in the hands of the apothecaries in New York City and reported 287 pounds. Then a committee was instructed to investigate the manufacture of that article. About this time the Continental Congress ordered that all saltpeter and brimstone in New Jersey, New York and New England be collected and sent to the New York powder mills. Robert R. Livingston wrote on June 24, 1775, that his powder maker had brought 180 pounds of saltpeter from Philadelphia and would at once begin to make powder. A motion to lend £2000 for the manufacture of saltpeter was lost in the Provincial Congress.

A bounty of 50 cents a pound on saltpeter up to October 1, 1776, was proposed in the Provincial Congress. Benjamin Baker asked for a loan of £1000 to establish a plant. By March 16, 1776, committees were appointed in all the counties to encourage individuals to make saltpeter, and soon supplies began to be offered from these local centers. In June 1776 it was reported that saltpeter had become a "staple" and "inspectors" were appointed to superintend the industry. It sold as low as 6 shillings but soon rose to 8 shillings, 6 pence a pound. Works were turning out the product in the counties of New York, Albany, Ulster, Orange, Dutchess, Westchester and Suffolk. Essays on the methods of making saltpeter and powder were prepared and 3000 printed copies were distributed. By January 17, 1776, the Committee of Safety wrote to the Continental Congress that the experiment was successful.

After a bounty of £5 held out as an inducement to persons to deliver 100 pounds to the county committee failed, the government of New York made an effort to get powder by offering 100 per cent profit on the first cost to any person who would import it. On November 3, 1775, General McDougall was directed to have 150 pounds of powder in the magazine made up into cartridges for the "common defense." The damaged powder captured at Ticonderoga and Crown Point was sent down to the powder mill near Rhinebeck to be made over. Powder was sent to New York from Philadelphia on October 16, 1775. A bounty of 1 shilling a pound was paid on all powder made from saltpeter brought into New York from other states.

Two powder mills, one owned by Henry Wisner in Orange county and the other by John R. Livingston in Albany county, were not



Temple Hill Monument, New Windsor

enough to supply the needs of the State, hence on March 9, 1776, the Provincial Congress ordered that two more mills be erected in Albany county, and one in each of six other counties. In May 1777 guards were recruited to protect the powder mills. The sum of £1000 was voted for 2 years on security as a loan to those persons who within 3 months would build a mill. No mills were to be built in southern New York, however, because of danger of attack from the enemy. The first mill to make 1000 pounds of powder by May 20, 1776, was to receive a bonus of £100. The next mill to meet the requirement by June 10th was to be paid £75. The third mill to meet the requirement by July 1st was to have £50. Between June 9, 1776, and June 9, 1777, Henry Wisner jr and Moses Phillips made 14,737 pounds of gunpowder, and John Carpenter and Co., 3725 pounds, in Orange county. Chief among the industries encouraged by New York in the Revolution were powder mills, armories, and salt plants.

Men were sent over the counties to purchase horses. In the records one item shows that 600 horses were purchased, for which "horse notes" were given the owners. The largest number, eighty, came from Tryon county. "Forage commissioners" looked after supplies of fodder and grain. Their bill for the year following June 1777 was £5024-0-3. Forage was paid for in certificates good for taxes.

The reason why New York found it so difficult to supply the revolutionary soldiers with clothing, weapons and camp equipment, was primarily because it was an agricultural colony with but few factories that might be utilized in an emergency to turn out military supplies. In the colonial wars all these materials came from England, and even in time of peace the equipment of the militia was chiefly from British supplies. With New York City in the hands of the enemy, New York was shut off from easy communication both with European countries and with neighboring colonies. The people were compelled by necessity to develop a resourcefulness in invention and substitution that made them more self-reliant and more conscious of their ability to manage their own affairs as an independent political and economic unit.

Food is one of the most important factors in war. Napoleon said that an army moves on its belly. Troops may be inadequately clothed, shod and armed, and yet render fair military service; but if food be lacking, they soon starve and become useless. Since New York was an agricultural colony to so large an extent, one would naturally suppose that even in wartime an adequate supply of food would be one of her least troubles. It was quickly discovered, however, that to supply a population of 180,000 people in normal times of peace



Ruins of Sterling Iron Furnace



was very different from feeding the colony in time of war, when so many men were withdrawn from agriculture to the camps, and since labor, seeds and agricultural implements were inflated by high war prices. Further, the rough and insufficient roads made transportation a difficult problem. Moreover, when New York City was cut off from the sea, articles like salt, spices, pepper, tea, coffee and rum were soon exhausted and commanded prohibitive prices. Then too, the obligation to accept depreciated paper money discouraged the farmers to the point of indifference or even hostility in marketing their crops.

Localities were called upon to provide quarters, food and supplies for troops, but as a rule an allowance was paid for such service. For instance on March 2, 1776, the people of Kings county were paid 7 shillings for officers and 1 shilling 4 pence for privates. Apparently this practice was less satisfactory to the soldiers than to the civilians, for most of the complaints came from the former.

The earliest official action of New York in supplying provisions for the revolutionary army was taken on May 24, 1775, when a committee recommended to the Provincial Congress that "supplies of provisions" be furnished the garrison at Ticonderoga. The governor of Connecticut was informed that in compliance with orders from the "Grand Congress" food would be sent to Lake George and Lake Champlain at once. Consequently 100 pounds of pork, 200 barrels of flour, and 20 barrels of rum were hurried up to Albany for Ticonderoga and Crown Point. On June 5th a list of the provisions despatched was submitted to the Provincial Congress.

The second call made on New York for food was on June 7, 1775, when the Continental Congress requested that 5000 barrels of flour be sent to the continental army at Boston at the national expense. Three days later the flour was purchased and forwarded. At the same time 300 barrels more of pork were sent to Albany on Continental credit. Pork was one of the most reliable and widely used products for army consumption, because when salted it could be kept without spoiling. On March 13, 1776, 1200 barrels of pork were purchased in Westchester county and stored for use. A committee on March 20, 1776, reported that in New York City there were 106 barrels of pork, 2694 barrels of flour and 97 barrels of beef. By 1777 the food supply seemed so abundant that the New York farmers were sending many materials that could be used for military purposes out of the State. Abraham Lott on February 5, 1777, reported that from this practice there was danger of a deficiency in New York. The Committee of Safety discussed an embargo, but it was not until November 11, 1777, that restrictions were laid on the exportation

of wheat, meal and grain, and a few weeks later extended to flour. The local committees were told to be very vigilant. When it was reported that goods and cattle had been sent from Long Island to Connecticut, a committee of three was appointed on January 17, 1777, to recover them. The embargo was waived, however, under certain conditions to relieve the general continental shortage. For example, on January 14, 1778, a permit was given to export 700 barrels of flour. There were inspectors of cattle and receivers of cattle. In 1780 Daniel Graham was paid £11,284 for ten head of cattle delivered to General Clinton.

Every encouragement was given to farmers to market their products instead of hoarding them at home. For instance on February 29, 1776, the Provincial Congress decreed that no hindrance should be placed in the way of those who wished to drive their cattle, sheep and hogs, or to carry provisions to New York City for use in the continental army. Farmers on Long Island, who refused to sell salted pork for the army at the market price, were forced to accept the price offered. The patriots generally were asked to sell cattle to the commissary general at "a reasonable price" which, if in dispute, was to be fixed by three persons. On October 9, 1777, the commissary general was given power to impress wheat and also teams to draw it. General Schuyler was authorized to impress provisions. This same power had been granted in connection with the erection of forts in the Highlands in 1776.

When on October 24, 1776, the Provincial Congress ordered the purchase of 8000 bushels of wheat at 6 shillings 6 pence a bushel, those refusing to sell were reported to that body. This wheat was sent to the mills at Peekskill and Croton river, which were run night and day to produce the needed flour. All mill hands were exempted from military service and coopers were taken from the army to make barrels.

Instances of profiteering were dealt with firmly. The first case arose in New York City in the fall of 1775, when two merchants were summoned for raising the price on blankets. On January 17, 1777, a committee was given power to prevent "monopolizing" war supplies.

A good illustration of what was going on is found in the minutes of the Schenectady committee. On May 8, 1777, that body discovered that Joshua Watts had "bought up and monopolized a large quantity of boards" contrary to the orders of the Provincial Congress. Hence his supply was seized and he was forced to accept the market price.

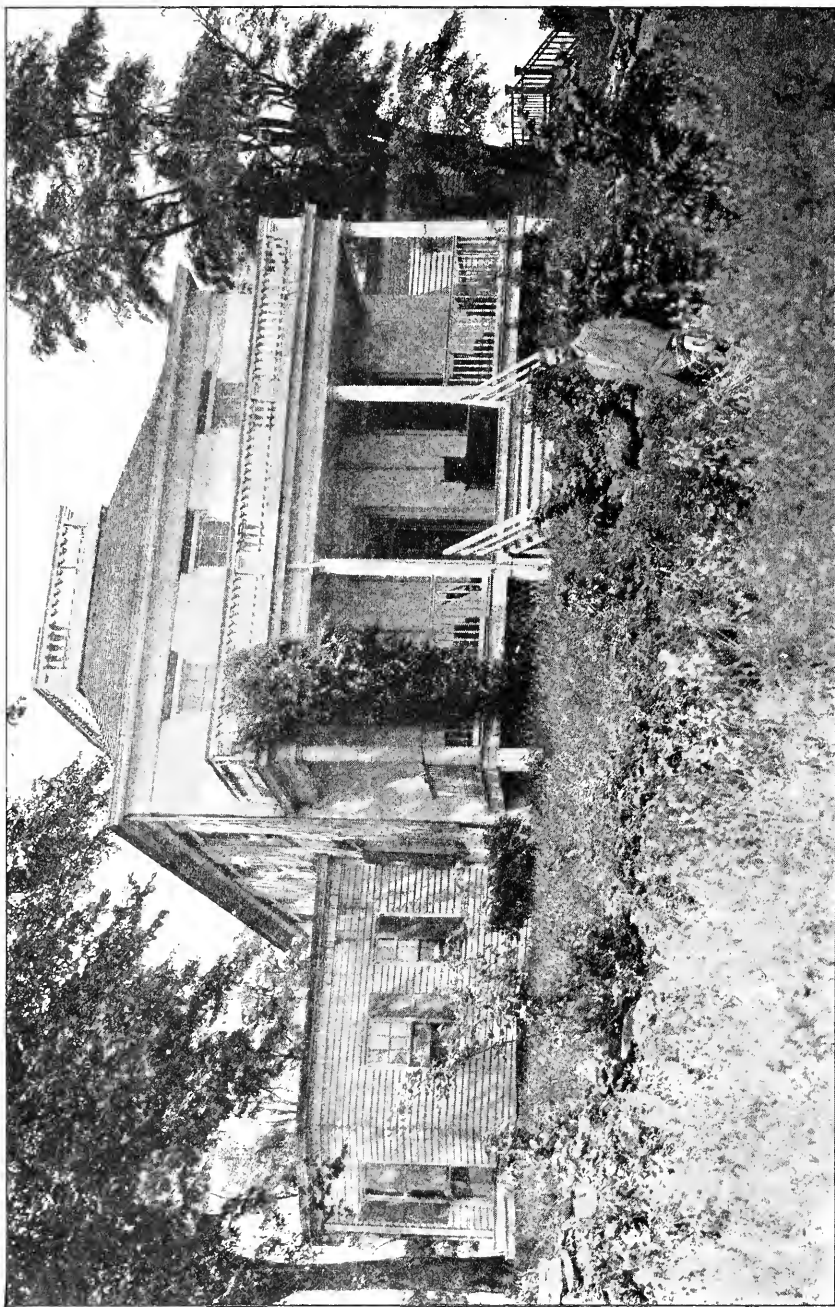
On July 2d David Frank was declared guilty of "monopoly" for selling  $3\frac{1}{2}$  ells of serge cloth and one dozen buttons for £30. He was forced to return £6 and 2 shillings to the purchaser and beg the pardon of the committee.

Other cases of monopolizing tea and profiteering in cattle were investigated and adjusted. Of course the worthless paper money caused the prices to fluctuate greatly and thus farmers became timid about exchanging good wheat or pork for questionable paper. The Continental Congress suggested a convention to stabilize prices. Early in 1777 New York sent delegates to meet in an interstate conference at Yorktown for the purpose of regulating prices of labor, manufactures and produce. The conference resolved that the various states fix prices to prevent monopolies, and that taxes be levied to stabilize the currency. On January 10, 1778, the Convention appointed four delegates to meet those of other colonies at New Haven on January 15, 1778, for the same purpose.

Those who refused to sell wheat and other articles to the State were reported to the Committee of Safety. From 1779 on the impressment of cattle, flour and grain, also oats, hay, mutton, tallow, cows and beef was common. Cattle became so scarce that they were purchased in New England. In 1780 the Legislature instructed Governor Clinton to impress wheat.

County committees followed the example of the State Government in seeking to stabilize prices. In 1776 the Albany county committee ordered that tea should be sold at 6s a pound. If sold at an advanced price it was confiscated and resold for 6s 3d a pound. This same body in 1777 fixed the price of wheat at 7s, rye at 5s, oats at 3s 6d, corn at 5s and buckwheat at 3s. As late as 1782, 895 bushels of wheat were supplied to the members of the Legislature at 6s a bushel, probably to offset profiteering.

One of the best commodities to illustrate the resourcefulness of the State was salt. By March 16, 1776, that article was so scarce in New York that the Provincial Congress offered a loan of £200 to anyone who would erect a plant to obtain salt from sea water. The first person producing 1200 bushels by December 1, 1776, was promised a reward of £100. After that the first to produce 900 bushels was to be given £75. The man who came third with 600 bushels was to receive £50. "Dissertations" on the processes of manufacturing salt were printed and distributed over the State to encourage the industry. Dr Joseph Gerreau, a Frenchman, was also consulted about the experiment. On January 17, 1776, Curtenius was directed to purchase on continental account 3000 bushels to be sent



Joshua Hett Smith House at West Haverstraw  
Where Arnold and André Completed Their Conspiracy  
for the Betrayal of West Point

to Albany at once. In October 1776, salt in Dutchess county was selling at 4 shillings 6 pence a pound.

By June 19, 1776, four men had petitioned for financial assistance in the salt industry and the next month the Provincial Convention offered to lend £500 to the first five applicants for obtaining salt from sea water—the loan to be paid back in salt at 8 shillings a bushel. Several salt companies were organized on the loans made, but in February 1777 the Committee of Safety was still frantically urging businessmen to engage in the manufacture of salt, and the counties were complaining of the scarcity of this article. Rumors that salt was made from springs at “Oriskee” on the western frontier, resulted in an order for a supply from that source. The efforts to induce the Iroquois Indians to sell salt to New York were continued. The Oneidas who were friendly to the American cause were offered \$4 a bushel. Peter R. Livingston was sent to the Onondagas to gain permission to make salt at Onondaga lake. A cargo of flour was sent to Curaçao to be exchanged for salt, but there is no record of its success.

Finally the Provincial Congress, disappointed in its various efforts, wrote to the Continental Congress on April 2, 1777, that most of the people of New York had no salt, that the State was cut off from the sea, that the neighboring ports could not be used to advantage, and that “the scarcity of salt has arisen to a most alarming height.” The national Congress was asked for salt to quiet the “clamours of the unfortunate.” Salt riots in Orange county and elsewhere were averted with much difficulty. Evidently some relief came from that source for a month later the Committee of Safety placed an order for 6000 bushels of salt in New England. John and Henry Livingston were commissioned to get it and allowed 3 per cent of the cost for their work. The sum of £4000 was voted to purchase the salt. The Continental Congress on June 14, 1777, ordered other states to supply New York with salt and authorized the secret committee to sell to New York 2000 bushels of salt stored at Plymouth, Mass. In September, Colonel Abraham Lott was in Boston to arrange for the transfer of the salt. Meanwhile efforts were also made to secure salt in Connecticut. Dr Platt Townsend, a New Yorker living in that state, asked to be allowed to make salt and send it to New York, and Connecticut consented. Colonel Lott also secured 1200 bushels at Canaan, Conn.

With a supply of salt secured from New England, the greatest care was taken in its distribution for sale to the people. Depots were

established in each county. The salt was then sold at 2 shillings 6 pence a quart. Each family on presenting a card from the local committee certifying that it was "well affected to the American cause" was sold 3 quarts for every member, not counting the men in military service who were supposed to get their salt from another source. On November 12, 1777, the Committee of Safety ordered 400 bushels of salt sent to Charlotte county after first supplying Albany and Tryon counties. Tryon county alone received 600 bushels.

Peter R. Livingston was sent to Boston in 1777 to obtain another supply for which he paid 10 shillings a bushel in wheat. On June 27, 1776, a committee was named to report all military supplies sent out of the colony for the Continental Congress. Similar efforts were made later, but it was found to be a difficult task. In the final settlement between the national Congress and the State these items were taken into account and reached a large total.

An interesting experiment made during the Revolution was the invention of devices to carry intelligence quickly. The British colonial post office was taken over by the patriots in 1775 and reorganized by the Continental Congress in 1776 with Franklin as its head. Before this was done New York organized its own service. An early effort was made by New York to open a mail route from New York City to Montreal. On June 13, 1775, Ebenezer Hazard petitioned the Provincial Congress to be made postmaster of the colony. John Holt also appeared as a candidate. After considerable discussion Hazard was elected by a vote of 12 to 6 and soon evinced great energy in his new office. When the British threatened New York in 1776 he moved to Dobbs Ferry. The Continental Congress urged New York to keep the post roads to Connecticut and New Jersey open. Hazard was directed to send a postrider weekly on the east side of the Hudson between the metropolis and Albany. On October 17, 1775, it was ordered that a plan be devised by means of beacons on high hills and cannon shots so that news of an invasion could be sent quickly all over the colony. The county committees were instructed to have horses ready from 10 to 15 miles apart to spread intelligence at any time. Names of these riders were sent to Provincial Congress. The post roads on the east side of the Hudson were kept in a state of repair during the war. Postriders from New York City northward were appointed in September 1776. The postal service was kept up throughout the war. By 1784 stage coaches were running 3 times a week from New York City to Albany.

Not the least among the war problems was that of preventing the spread of smallpox. The method of prevention, or "inoculation"

as it was called, was so new that it was honestly thought that it spread rather than checked this dread disease. The Albany county committee prohibited inoculation for smallpox on May 26, 1775. The Schenectady district committee on May 31, 1775, ordered doctors and others to "desist from inoculation of the smallpox." Hence on June 15, 1775, the Provincial Congress forbade "inoculation" before December 1, 1775. Men were put in jail for disobeying this order. One man sent in a petition for the privilege of having his wife inoculated but it was denied. Violators of the order in New York City were punished. Not until 1777 did the government allow it, and then only under certain conditions. After Washington recommended it for the continental army, however, New York removed all objections. Quarantine was used to combat the dread disease. In 1777 "inoculating hospitals" were prepared in each district of Albany county. As late as 1778 General James Clinton wrote Governor George Clinton that he was trying to prevent inoculation at Newburgh until the Governor gave him further orders.

The occupation of New York City, the invasion of Burgoyne, and the inroads of the Tories and Indians on the frontiers threw upon the Government of the State a large number of refugees, chiefly women, children and old men, for whom provisions had to be made. When the British captured New York City hundreds fled northward and appealed for food and shelter to the Provincial Congress. Even before that disaster, on February 26, 1776, Abraham Lott was voted £500 for bread for the poor of the metropolis. The vestry of New York City petitioned the Provincial Congress on May 30, 1775, for the right to collect taxes to care for the 400 poor and unfortunate in the almshouse. John Ramsey was appointed to supply them with employment. After New York City fell, various sums from £19 to £1280 were voted to remove the poor refugees and to feed them. They were distributed among the counties and the county committees charged the local committees for their keep. Commissioners of the poor in the various counties looked after them. Many of them were billeted out at 8 shillings a week. Westchester county was fairly flooded with these refugees, and Dutchess and Ulster had many of them. In 1780 the "New York poor" were put in charge of Samuel Dodge who from 1780 to 1783 spent £75,035 for them. A list of them for the three counties mentioned above is still preserved.

The refugees from the border counties were cared for by commissioners of the poor at the expense of the county committees. From 1778 on donations were collected for the "distressed" driven from their homes. The refugees from Long Island to Connecticut had their

transportation paid at a cost of £5400. Their names have been preserved and are those mostly of women. From Saybrook, Conn., 170 male refugee "voters" of Suffolk county petitioned the Convention for relief and later asked for a committee to provide for their needs. Children of these refugees were bound out to learn trades.

British prisoners of war were under the oversight of the commissioners of prisoners. The first prisoners of war were taken at Ticónderoga. Dutchess, Orange, Ulster and Westchester counties had charge of most of these prisoners. The western bank of the Hudson was the favorite place for keeping them, and the principal detention camp was at Goshen in Orange county. The practice of billeting them out at public expense was common. Ulster county had the most of this work to do. "The fleet prison" was anchored off Esopus. Some of the prisoners were sent to the New England states at the expense of New York.

Such is the kaleidoscopic picture of New York's frantic efforts to equip and feed the army, to supply the civilian population with articles which could not be produced in the State, and to care for the poor and distressed, which one gets from the scattered and unorganized items in the records of the Revolution. To meet the desperate situation required organizing ability of a high order, financial genius to meet the expense, patience and persistence scarcely equalled in human history, the capacity to endure deprivations for years, and a sublime faith in a just cause. As scraps of information are pieced together from the scanty items in the minutes of local committees and state legislatures, military orders and governors' proclamations, private letters and diaries, and contemporary newspapers and memoirs, one realizes more fully the indomitable character of the builders of the Empire State and understands the forces which created a resourceful and self-reliant people.



## IX

### THE LOYALISTS OF NEW YORK

During the entire period of New York colonial history, two political groups, one conservative and the other progressive, may be traced. The former was composed of the colonial civil and military officials, who represented overseas authority, the wealthy landlords and their retainers, the Anglican clergy and most of the rich merchants. The latter consisted of representatives of the people in the Council and the Assembly, some large landowners, the lawyers, the Calvinistic clergy, the small shopkeepers and the day laborers in the villages and cities. The various crises in colonial politics naturally caused more or less readjustment in the alignment of these two factions, for they were not parties in the modern sense.

In the rebellion occasioned by the Stamp Act, Cadwallader Colden, who knew well the situation in New York, said that the measures of parliament were defended by men like General Thomas Gage, Major James, Sir William Johnson, the Anglican clergy and the landed proprietors. He thought that "great numbers" in New York City were intimidated from expressing their honest convictions and that the farmers were friendly.

The excesses of the firebrand patriots like the Sons of Liberty in resisting the Stamp Act soon alienated the conservatives—the large business men, the professional men and the wealthy landowners—who at first had encouraged resistance and then began to urge moderation and legal methods of redress. Here was a prophecy of the schism that was to come in America over the approaching Revolution. A New York lawyer, Peter van Schaack, predicted that the "party spirit which had been aroused would never be extinguished." By 1770 the two parties, liberals and conservatives, Whigs and Tories, were fairly well developed. In New York the extreme wing of the cautious Tory group, led by Cadwallader Colden and his coterie, stood for a rigid execution of imperial law. The moderate Tories, who constituted a large majority of the party, insisted upon a recognition of the American interpretation of the British constitution, but wished to maintain their rights by means of petition and legal protest. Some of them indeed were not averse to a show of force if necessary. With their liberties once secured and safeguarded, the Tories' fondest hope was for peace, friendly commercial relations and a united Empire.



Roger Morris  
Painted by Benjamin West

After 1770 every important event became a party issue. The Whigs and Tories held divergent views on the most effective method of resisting the Mutiny Act and the Tea Tax. The Whigs wanted to boycott all English goods; the Tories desired to restrict it to tea alone. The Boston Port Bill aroused the ire of the Whigs but the Tories believed that the penalized city ought to pay for the "drowned tea." It is apparent that the two parties differed not over the *acts* of the British parliament—for both opposed them—but over the *form* which that opposition should take. One group of Tories, which may be called the ultras, stood aloof almost entirely, but the liberal Tories advocated reasonable measures of resistance.

The calling of the first Continental Congress in 1774 was a subject for party strife. Contrary to common belief, the Tories did not take a hostile attitude towards the calling of that extra-legal body. While a few of the most wary Tories opposed the Congress, yet both Whigs and Tories worked hard to elect delegates of their own conviction. In New York City, for example, the moderate Tories were successful in the election, expecting some sort of a conciliation to result from the intercolonial convention. Even ultra-Tories like Dr Myles Cooper, Judge Thomas Jones and Colden hoped it would take the conflict out of the hands of the rabble, secure a redress of grievances, create a "firm union" upon "constitutional principles," and "produce some good." Others thought the "wisdom and prudence of Congress" might avert open rebellion. All hoped that peace would result.

The first Continental Congress did not meet intentionally as revolutionary body. There was no design to declare for armed resistance and few if any dreamed of a Declaration of Independence. The object was to uphold by reasonable measures the American interpretation of the political relations of the various colonial governments to the imperial government. No sooner had Congress convened than the Tories set to work with pamphlets, poems, sermons and letters to influence Congress against measures "offensive to parliament." The Tories watched Congress with the keenest hope that the outcome would be peace with victory for American rights.

But the Continental Congress sadly disappointed the Tories because it did not bring reconciliation. They complained that it was diverted from its original purpose, had become an instrument for the promotion of war, revolution and disunion, shut up the courts of justice, and replaced the regular government with illegal committees. The extreme Tories refused to recognize the Continental Congress as entitled to obedience or possessed of power to enforce it, and urged the

people to look to their legitimate Assembly for leadership. It was not until after the holding of the First Continental Congress in the summer of 1774 that the Tories began to use the term "Loyalist" to characterize their party.

The Loyalists for the most part, professed to be as deeply attached to America as the Whigs. They acknowledged the British parliament to be "the grand legislature of the empire," but maintained the rights of the colonies as political units of the empire and insisted that "the line of parliamentary authority and American freedom" must be ascertained and firmly established "on just, equitable and constitutional grounds." In New York they claimed that in as much as the colony had enjoyed home rule since 1691, the imperial parliament could not levy a tax except through the local Assembly. Indeed the Loyalists, along with the Whigs, denounced the plan of the British parliament to tax America as an "innovation." To restore peace, England was told that the acquired colonial rights must be recognized.

Their positive and constructive proposals fell on deaf ears in England. Revolution followed with surprising results. The Loyalists then centered their hopes on the leniency and justice of the king and parliament. They denounced the military program of the Whigs, dreaded civil war as a dangerous obstacle to reconciliation, insisted that the contest be carried on constitutionally, and demanded a peace based on the American theory of the British constitution. Most of the Loyalists worked as zealously to stay the iron hand of Great Britain as to prevent revolution. They wrote to England that it was a mistake to send an army and navy to America to coerce the colonists. They recommended the withdrawal of armed forces, and the suspension of the measures that caused the trouble. They advised the recognition of the principle of self-taxation, and the institution of an annual colonial congress, over whose acts the crown would exercise a veto. The answer to this wise advice was Lexington and Concord, followed within a month by Ticonderoga and Crown Point.

Meanwhile the Provincial Congress of New York was called, and the local committees were elected, to organize and guide colonial resistance. The "general association" was enforced, and served as a political thermometer, because it forced all to take a stand and to put themselves on record. The bolder Loyalists denounced the "association," but those of a timid nature saved themselves by subscribing. The "non-associators" were held up to public scorn as "enemies of the country," their names were printed in the newspapers, and these blacklists became the basis for future punishment. This was the first decisive political test that labelled a man as either a patriot or a Loyalist.

The Declaration of Independence gave finality to the position of the Loyalists. "The Tories dread a Declaration of Independence . . . more than death itself," wrote a Whig. They declared that separation from the empire was a new issue, wholly inconsistent with the previous profession of individuals, committees and congresses. A war of extermination began, not only between Americans and Englishmen, but also between American and American, brother and brother, father and son, neighbor and neighbor. The Loyalists, now openly forced to take sides, fought independence bitterly with the pen, the Bible, their wealth and the sword. They denounced it as the direst calamity, supreme folly, diabolically wicked, and suicidal. This movement, they said, engineered by debtors, smugglers, republicans and the illiterate rabble would end in making the colonists slaves of some foreign tyrant. They professed to believe that independence was unattainable and that the idea "must vanish like the baseless fabric of a vision."

The die was cast; the roll was called. Every American had to choose between remaining a British subject and being considered a traitor to America; or declaring himself a citizen of the new-born nation, and hence a traitor to the crown. There was no middle ground and no possible compromise. Those who tried to follow a neutral course—and there were many—were treated as enemies and harried out of the land. The unity of the British Empire became the supreme issue. As a result, a slight realignment of parties occurred. Some of the moderate Loyalists were won over to the patriot cause and not a few of the conservative Whigs cast in their lot with the Loyalists. Henceforth the Loyalists were forced to appear the unqualified supporters of the unwise measures of the British government and the foes of American liberties—a role inconsistent with their honest conviction and earlier assertions. They were Americans and proud of it. They felt the grievances as keenly as the Whigs but desired relief in legal ways. The folly of the English government and the firmness of the revolutionists destroyed all hope of an amicable settlement, however, and precipitated a civil war which led to momentous results unexpected by both parties at the outset.

Before the outbreak of war in April 1775, no efforts were made by the revolutionists to arrest, or even suppress, the Loyalists. They were denounced by the ardent patriots in resolutions and pamphlets, and their names were printed in the newspapers as "non-associators." After Lexington, however, the war fervor began to spread rapidly and to grow more intense. Still almost 4 months passed in New York after the fall of Ticonderoga before the Provincial Congress on September

1, 1775, adopted a general policy and declared that any persons found guilty before any city or county committee of supplying the "ministerial army or navy" or giving information to the same, should be disarmed and fined double the value of the articles supplied; and that they should also be imprisoned for 3 months after the forfeit was paid. A second offense would bring banishment from the colony for 7 years. It was also resolved to disarm those who denied the authority of the various revolutionary bodies and for a repetition of the offense to confine them at their own expense.

From April 19 to September 1, 1775, the revolutionary bodies of New York dealt with the internal foes of the American cause as individual cases. The "non-associators" and obnoxious Loyalists were handled as circumstances and public exigencies seemed to warrant. The local committees, which were closest to the people, were particularly active and reported numerous cases to the county committees, which, in turn, sent the more difficult problems to the Provincial Congress or the Committee of Safety.

The Provincial Convention of April 20-22, 1775, did nothing but provide for the election of the Provincial Congress which met on May 22d. Immediately after the opening of the Provincial Congress county committees began to forward the cases of notorious Loyalists to it for action. Guy Johnson's will serve as a typical instance of the methods of the committees and Provincial Congress, and hence will be given in some detail.

Guy Johnson was a member of the influential Johnson family in the Mohawk valley. When the Revolution began he was, as superintendent of Indian affairs, a crown officer. He had served in the colonial Assembly and was conversant with the issues of the day in which he took the side of the British government. Evidently his attitude incurred the ill will of the New England patriots, for as early as March 20, 1775, he complained to the local magistrates that he was threatened with seizure. His authority over the Indians was extensive, and he was a prominent personality in the Mohawk valley. Because of his influence with the Indians, and with the white settlers as well, his words and actions were watched with deep interest by the patriots.

Convinced of his hostility to the American cause, the local committees of the Palatine district in Tryon county and of Schenectady in Albany county took the lead in circumventing his injurious actions. On the plea that the "Boston people" were trying to capture him, he sought to hold the loyalty of the Iroquois nations. The Palatine district committee on May 18, 1775, wrote the important Albany county committee that the Johnsons were strenuously trying to dissuade "people from



Steuben /  
Mar. G. H. H.

Baron Steuben

coming into Congressional measures;" that a week before, supported by their dependents, they had dispersed a meeting called in the Mohawk district by the patriots to discuss their grievances; that Johnson Hall was being fortified and guarded by 150 armed Highlanders; and that Guy Johnson meant to use the Indians to overawe the patriots.

Meanwhile Guy Johnson warned the local committees of the upper Mohawk that if he were "insulted," the Indians would take a dreadful revenge, and that he had fortified his house. To the Schenectady committee he wrote that he meant to keep the Indians at peace but asked that the Albany county committee be informed that he had "taken precaution to give a very hot and disagreeable reception to any persons who shall attempt to invade my retreat." This was virtually a declaration of war on the Albany county committee, which immediately sent a subcommittee to interview the bellicose Loyalist and also report the situation to the first Provincial Congress newly convened in New York City.

That body on June 3d in a dignified letter assured Guy Johnson that his person and his property were safe so long as he and his Indians remained neutral but that he must not "counteract" any of the measures of the Continental Congress, or the Provincial Congress, or the local committees. Meanwhile Johnson ordered all the missionaries to leave the Indian country — among them the patriotic Samuel Kirkland, who was working among the Oneidas. The patriots of Massachusetts on June 13th asked New York to request the Continental Congress to take steps to prevent Guy Johnson from inciting the Indians to rise against the colonists. A month later the Committee of Safety wrote the New York delegates at Philadelphia that Guy Johnson had gone to Oswego with 1200 Indians. From Ontario he sent a long letter to the Provincial Congress in which he said that he saw no signs of the reconciliation he so much desired; that the 1340 Indians with him were displeased at the actions of the patriots; that he resented the plans to capture him and the confiscation of his letters; and that his "conscience, duty and loyalty" prevented his obedience to the revolutionary bodies. Late in 1775 he went to England, and did not return until after the Declaration of Independence.

The second Loyalist case before the Provincial Congress was that of Angus McDonald. He was brought before that body and confessed that he had recruited forty men for a battalion of Highlanders. After confessing his guilt, he was sent as a prisoner to Connecticut. A letter found on his person showed that Captain Alexander McDonald was similarly engaged in Richmond county. His arrest was ordered, but he fled to Boston.



These three cases mark the beginning of armed resistance by the Loyalists to the revolutionary authority in New York. From this time on naturally the cases multiplied in number, particularly after laws were enacted to disarm and punish obnoxious Loyalists. The action of September 1, 1775, to which reference has been made, was followed on September 16th by a vote of the Committee of Safety to empower the county committees to disarm all "non-associators" in order that the "destitute" continental recruits might be equipped. On October 6, 1775, the Continental Congress recommended to the revolutionary bodies that all persons whose going at large might endanger the safety of the colony or the liberty of America should be arrested and secured. That body on December 30th sent General Schuyler with a large armed force to seize the arms and stores of the Tories in Tryon county and "to apprehend their chiefs." After surrendering his military stores and the arms of his tenants, Sir John Johnson was released on parole. When Sir John fled to Canada, for fear of arrest, Johnson Hall was sacked, and Lady Johnson was taken as a hostage to Fishkill but soon escaped to the British.

Many Loyalists particularly in southern New York were disarmed before the Provincial Congress on October 24th disapproved of the earlier order. Four months later, on March 14, 1776, the Continental Congress again directed that all "non-associators" and "notoriously disaffected" be disarmed. On the same day that this resolution was read in the Committee of Safety, Governor Tryon's address to the people of New York was issued saying "that a door is still open to . . . such deluded persons" as would accept the justice offered by the king and parliament. About 2 weeks later, on March 27th, the Committee of Safety, in response to the recommendation of the Continental Congress, asked all the local committees to disarm all the "disaffected" and those who refused to sign a revised association, using the militia if necessary, and to report their actions to the Provincial Congress.

Obedient to the Continental Congress, the Committee of Safety once more ordered the county committees to disarm all Loyalists who refused to take an oath of obedience to the revolutionary powers. Whole neighborhoods were disarmed, and the militia was used to accomplish it. Those who refused to swear that all arms had been surrendered were fined 5 shillings a day while the militia was in service. To guard against the influx of Loyalists from other colonies every stranger was forced to show a certificate from his home committee.

The closing months of 1775 and the early months of 1776 were witnesses to the arrest and trial of hundreds of Loyalists. In the majority of instances the local committees handled the cases. The other

cases went to the provincial bodies. The Albany and Ulster county jails were used as detention camps. The Loyalists in Queens county and in Richmond county were the noisiest and most obdurate. On December 11, 1775, Jesse Brush, a justice of the peace in Huntington, Suffolk county, and a member of the local committee, reported to the Provincial Congress that the Loyalists in Queens county were numerous and had been armed from the ship "Asia;" that they were ready to crush the Revolution; and that they were holding their fat cattle for the British army. The Provincial Congress pronounced that county "inimical" and ordered it to send a committee at once to explain its conduct.

On December 21st, since the people of Queens county failed to send the committee ordered, the Provincial Congress, taking into account the fact that Queens and Richmond counties were not represented in that body because of a negative vote, ordered the names of 734 of the Loyalists printed in all the newspapers and in handbills as guilty of a breach of the general association and contempt for the authority of the people. The "delinquents" of both counties were "put out of the protection" of the Provincial Congress and placed under a commercial boycott. The Committee of Safety was authorized to deal with them as it pleased, and the Continental Congress was urged to send troops to suppress them. This is the earliest example of disaffection in New York on a wide scale, and it is rather significant to remember that it occurred 8 months after the outbreak of war and about 7 months before the Declaration of Independence was issued. So serious was the situation that the Continental Congress singled out nineteen leaders and ordered them imprisoned by Colonel Heard who appeared with them before the Continental Congress on February 6, 1776. In May Tories were reported to be active in Kings district of Albany county.

Meanwhile the Provincial Congress appointed a committee to devise adequate ways and means to deal with "the intestine enemies." The chairman, John Alsop, reported on May 24, 1776, that the "enemies of American liberty" had their own committees of correspondence through which they poisoned the people's minds with false reports; that the Tories were particularly numerous in Queens, Kings and New York counties and elsewhere and were ready to take up arms whenever the prospect of success seemed good; that the crown officers and Tories were "liable to suffer injuries" from the resentment of patriots; that continental troops should apprehend the most notorious Loyalists at the direction of Washington; and that county committees should arrest all crown officers and Loyalists. The next day the Provincial Congress appointed Scott, Morris, Jay, Haring and Remsen a committee to

frame a law at once dealing with the Loyalists. The committee reported on May 28th, but the hostility of Richmond county postponed consideration of the report for a week.

On June 5, 1776, the report was adopted. It cited the order of the Continental Congress on October 6, 1775, as authority. It repeated the belief that the Loyalists had secret means of communication. It mentioned Queens, Kings, Richmond and Westchester counties as being full of Tories and gave the names of about a hundred of the most prominent ones who should be tried, and if found guilty put in jail, or placed under bond, or banished to another colony. As a result of this report the first effective state committee on the Loyalists was named — a committee of seven members consisting of Gouverneur Morris, Henry Remsen, John Ten Broeck, John Haring, Thomas Tredwell, Lewis Graham and Joseph Hallett. Five of them could act as a quorum. An oath of office was required. The committee was clothed with wide powers to seize or summon enemies of American liberty, to send for witnesses, and to impose sentences. The local committees were all authorized at the same time to arrest suspects and send them to the county committees for trial.

The feeling against the Loyalists in New York City ran high in June 1776, and resulted in an attack on them by a mob on June 12th. The Provincial Congress disapproved of the riots as the product of a zeal for liberty, urged the people to maintain "decency and good order," and promised that the "constitutional representatives of the colony" would render the Tories harmless.

This original committee of seven was changed before its first meeting on June 15th to nine members. Remsen, Ten Broeck and Haring were excused, and Philip Livingston, John Jay, Leonard Gansevoort, John Sloss Hobart and Thomas Randall were added. The committee took the oath of office before the Provincial Congress on June 14th and organized for business the next day. This first state body appointed to try the Loyalists sat from June 15th to June 30th and kept its records faithfully. During that time about 150 names of Loyalists, mostly in southern New York, were brought before the committee. Many of them were summoned and examined as to their actions and sentiments. Those tried were pronounced either innocent or guilty of injuring the American cause, and the latter were either put on parole or under bond.

While this committee was in session the Provincial Congress on June 20th resolved that all persons in the State who had not signed the earlier form of association should be approached and asked to sign a modified form which was formulated. All who subscribed to it should have their arms, or the value, restored to them, but those who

refused should be forthwith disarmed and forced to swear that they had given up all weapons. If they refused to comply, they should "be committed to safe custody" until they yielded. The county committees were told to carry out this order "with diligence and punctuality."

Meanwhile Washington arrived in New York City after having driven the British out of Boston. The problem of the Loyalists was presented by him to a council of war on June 28, 1776, at which it was recommended that the county committees should hold all dangerous Tories in jail and not release them on bond until the Provincial Congress could act. Two days later that body authorized Washington to make all arrests of Tories necessary for the "security of this colony and the liberties of America." On the same day it was reported to the Provincial Congress that a majority of the militia of Haverstraw precinct were "notoriously disaffected," hence seven of the leaders were ordered sent under arrest to New York City and the other insurgents were disarmed. At the same time, since it was rumored that Tories were hiding in the woods and swamps ready to join the British, the local committees were instructed to use the militia to arrest them. General Putnam reported to the Provincial Congress on June 3, 1776, that Tories from Westchester, Dutchess and Albany counties, who were confined in prison in the Highlands, had been put to hard labor, and asked for instructions. That body told him that they should be confined but not forced to work.

A good example of the activity of local authorities in dealing with the Tories was that of the committee of Salem in Westchester county. This local board reported to the Provincial Congress on June 8th that "a large number" of Loyalists were located there. Some had been "advertised" and others placed under bonds of £200. The latter, in certain instances, had absconded and forfeited their bonds. What should be done with the forfeited bonds? Might they be taken in stock or grain? Could they be used to pay the expenses of the committee? The Provincial Congress replied that the questions should be settled when the State Government was created. On June 20th the militia of Dutchess and Westchester counties was called out by the Provincial Congress to suppress the Tories under orders from the county committees. On July 9th the county sheriffs were ordered to hold Loyalists as prisoners until further instructions were received.

The acceptance of the Declaration of Independence by the newly elected Convention on July 9, 1776, sealed the fate of the Loyalists. They were now confronted by a free state, and not by a colony of the British Empire. They had to deal with a regular State Government and not extra-legal, revolutionary bodies with questionable power. The

Convention, on the very day that the Declaration of Independence was ratified, created a new committee on the Loyalists. It was formed by uniting the committee of June 5th with another committee appointed to confer with Washington and reducing the number to six — Hobart, Morris, Graham, Gansevoort, Randall and Remsen — all members of the earlier body. No doubt it was intended that this committee should be a continuation of the older one. It was clothed with additional powers. It could dispose of all prisoners in and about New York City, and appoint a commissary for them. It was authorized to remove the New York jailer if necessary and have the sheriff appoint a better man. To it was transferred the power bestowed temporarily upon Washington to arrest and punish Tories. The members of the committee took an oath of office and were instructed to proceed according to "dictates of justice and humanity, and most advantageous of the public good." Unfortunately all trace of the work of this committee has been swallowed up in the turmoil incident to the arrival of the British. No doubt it was kept busy protecting the new State from injury at the hands of the Loyalists.

Prior to July 4, 1776, the treatment of the Loyalists by the revolutionary provincial bodies of New York was firm but moderate. Most of them were dismissed on parole, some were put under bond, and a few were banished or imprisoned. The patriots were exasperated at this leniency. Washington complained of New York's inactivity and the Continental Congress sent some sharp notes. General Charles Lee suggested that after being disarmed the Loyalists be required to deposit a half of their property with the Continental Congress as a pledge of good behavior. John Hancock urged New York to attain all traitors. John Adams urged Washington to extend his military authority to include them, but the Provincial Congress jealously guarded its civil rights. It took great pains to have the arrest and punishment of the Loyalists accord with both national and state law. When local committees, military men, and mobs proceeded against Loyalists without authority, they were not infrequently called to account for arbitrary action. On the whole local and provincial bodies endeavored to give the accused fair trials. In Albany county Loyalists might demand that their accusers face them, but they were allowed neither counsel nor witnesses in their own behalf. The Loyalists refused to recognize the legal status of these revolutionary bodies, however, and raised the cry of injustice and autocracy.

So bitter was the feeling against the Loyalists that the mob spirit broke forth again and again to penalize friends, neighbors and relatives, who could not see the conflict as the patriots did. Obnoxious

Loyalists were the victims of "an excess of the spirit of liberty." Their printing presses were destroyed; their libraries burned; their windows were broken; their live stock and personal effects were stolen; they were ducked in ponds; they were ridden on rails and they were tarred and feathered. Loud were the lamentations of the Loyalists against the deeds of the "Republican mob," as it was called. Humane patriots like John Jay and Generals Mifflin and Putnam appealed to the authorities to end this cruel rioting. The New York Provincial Congress did denounce rioting and asked that the disaffected be left for punishment to the constitutional representatives of the colony. The Loyalists, however, were unable to see any difference between disorderly mobs and revolutionary legislatures and tribunals, for both, they said, deprived them of their rights, liberties and property. When in December 1776 the New York Provincial Congress ordered the Committee of Public Safety to secure all the tar "necessary for the public use and public safety," the Loyalists pointed to the act as proof of the alliance between the pretended legal body and the lawless mob.

In the heat and excitement of the day neither party could see honor or honesty in the other. The Whigs charged the Loyalists with looking upon "the rights of mankind" as visionary, upon patriotism as hypocrisy, and upon liberty as an empty shadow. Their behavior was denounced as the "sheerest satire upon the species"—a compound of insincerity, falsehood, cowardice and selfishness. In 1765 they had been patriots clamoring for liberty; in 1774 they called the Continental Congress and denied the right of the British parliament to tax them; but in 1776 they joined the enemy, condemned the principles they once advocated, and treated congresses of the people with contempt. This "set of wretches," "shameless apostates," "a puny tribe of voluntary slaves," "most obnoxious animals," should be hunted out and destroyed for the sake of self-preservation.

Of course the Loyalists also exhausted the dictionary of that day in returning these compliments. The ultras, known as "non-associators," who believed revolution and independence wicked and hopeless, valiantly fought for a losing cause. They denounced the temporizing inactivity of the imperial power and demanded more active relief through the British army and navy. Orderly despotism was preferable to mob tyranny. The scheme for independence was the "barest hypocrisy." They wished themselves in free England instead of autocratic America. In pamphlet, poem, sermon and oration they voiced their sentiments until silenced by force and the din of war. The moderates, who after 1776 wished nothing more than to

remain neutral, signed the association. "We are at present all Whigs," wrote a Loyalist in June 1775, "until the arrival of the King's troops." The occupation of New York City in 1776 was greeted with joy by the Loyalists, for their only hope now lay in the success of British arms.

Before the capture of New York City and the surrounding territory by the British in 1776, Queens county was the storm center of loyalism. Richmond, Westchester and Kings counties were not far behind Queens. In fact every county in the State had its group of Loyalists, and they were numerous in the cities of New York and Albany. With the occupation of the southern part of the State by the British many thousands who had been passive patriots repudiated their new allegiance, openly proclaimed themselves Loyalists and took the oath of loyalty. Other thousands flocked to New York City from upstate counties and from other colonies. The lines were so rigidly drawn that every man in the colony had to choose between the new State and the British Empire. The 60,000 inhabitants of southern New York were restored to English rule, the civil courts were reopened, and the property of the revolutionists was confiscated. The people overwhelmed the Howes with loyal addresses. Food, fuel and clothing were supplied the troops, and contributions of money were made. The Loyalist women of New York City presented an armed privateer called "The Fair American." A counter declaration of independence of all congresses and committees was generally signed. Long lists of Loyalists were sent to the British king who promised land grants to all Loyalists who would help to crush the insurrection. A series of proclamations announced the expectation of an early peace.

From the outbreak of the Revolution, the English government pursued the policy of arming the Loyalists against the patriots. Before the British army reached New York, many of the Loyalists had already armed, and some recruiting had taken place. Guy Johnson, Sir John Johnson, John and Walter Butler and Daniel Claus had gone to Canada with armed Loyalists and Indians. The Loyalists of southern New York boasted that they were going to free themselves with the aid of royal troops. As inducements to enlist the Loyalists were promised good commissions, the pay of regulars, bounties in money and land, and the estates of the revolutionists. Soon thousands of New York Loyalists were serving under the British flag. A provincial corps and a company of horse were raised on Staten Island. Soon 2000 Long Island Loyalists were serving under Howe. James De Lancey raised a troop of light horse in Westchester county, and in 1778 he invaded

Suffolk county with 1000 Loyalist troops. Oliver De Lancey was commissioned brigadier general to recruit 1500 Loyalists. By 1777 it was reported that four or five regiments were organized.

Ten corps of Loyalists troops were reported to be on the Canadian border. They played a leading part in the battle of Oriskany and were with Burgoyne in his invasion of the State in 1777. They also devastated the western settlements and left behind for themselves and their Indian allies a reputation for terror and cruelty not yet forgotten in those regions.

The enlistment of Loyalist soldiers and sailors continued throughout the war. They served as militia and as regular provincial troops, and in New York alone approximated all told 15,000 regulars and 8500 militia. Most of the spies in the British army were Loyalists.

To crush the Revolution, the Loyalists contributed supplies and money as well as soldiers. Staten Island raised £500 for the Loyalist troops. New York City gave £2000 in 2 weeks for the same purpose. Kings county contributed £300 for Colonel Fanning's battalion. Queens and Suffolk counties donated similar sums. Just how much was actually collected by the Loyalists to help win the war is not clear, but it was a voluntary gift of considerable size.

After New York became an independent State, it was in a position to define citizenship and treason. Consequently on July 16, 1776, the Convention decreed that all persons in the State owed allegiance to the laws of the State of New York and hence those who helped to make war on the State were guilty of treason, the penalty for which was death. All suspected traitors were to be seized by the local committees. The cases became so numerous and the British invasion from the north and south so threatening that on September 21, 1776, a new standing committee of seven was appointed with wide powers "for detecting and defeating all conspiracies" against the State or Nation. Six members of the Convention were chosen at once—William Duer, Charles De Witt, Leonard Gansevoort, John Jay, Zephaniah Platt and Nathaniel Lockett. The seventh member, Pierre Van Cortlandt, was added on October 15th. In January 1777 four additional members were placed on the committee in order to assure an attendance of the necessary quorum of three.

The committee organized on September 28, 1776, sat almost daily and continued for more than 4 months before it was dissolved on February 11, 1777. This body was overwhelmed with work as may be seen from the fact that during its brief existence it heard and decided as many as 500 cases covering many subjects. The punish-



ments of the Loyalists were more severe, naturally, than in the earlier period. The committee had its own armed forces to carry out its orders, an efficient secret service system, express riders and ample funds. The numerous local committees were ordered to report all machinations of the internal enemies to this state body.

For some reason, not quite clear in the records, the Convention, after dissolving the committee on February 11, 1777, created in its place a commission of three members for detecting conspiracies. This new board was composed of Egbert Benson, Jacobus Swartwout and Melancton Smith. It met on February 15th, selected Benson as chairman, and succeeded to all the powers and difficulties of its predecessor. It also held daily sessions, first at Fishkill, and later at Poughkeepsie and other places. When on March 7, 1777 the Convention ordered all deported Loyalists recalled and tendered an oath of allegiance to the American cause, the work of the commission was so heavy that Peter Cantine jr and Joseph Strong were added to it. The oath of allegiance to the new State was now made the supreme test of loyalism. Those who refused to take it were penalized in various ways as circumstances dictated. This commission came to an end on September 10, 1777, when the Convention was succeeded by the Legislature created by the Constitution of 1777.

The capture of the Highland forts by the British induced the Legislature, on October 7, 1777, to revive the commission for detecting conspiracies and to give it all the authority which it had exercised under the Convention. In addition it was charged with the removal of prisoners from Kingston to Connecticut. For the next 4 months the commission existed and was busy, no doubt, but its records are missing. Fortunately the minutes of the first committee and the first commission to detect and defeat conspiracies for a period from December 11, 1776 to September 23, 1778, have been printed by the New York Historical Society.

This body was succeeded on February 5, 1778, by the creation of a new board with the same name. The ten members originally proposed were increased on April 3d to thirty selected from the seven counties under patriot control. Each of the members had statewide jurisdiction, but they sat as county boards. Each board was required to keep minutes but all of the records are lost, except those of the Albany county board which have been published by the State for the period from April 13, 1778, to August 30, 1781. The commissioners were not discharged until March 27, 1783, and thus for 5 years exercised general supervision over all cases of loyalism. They cooperated

with the Governor, the Legislature and the military leaders, and seem to have superseded largely the earlier county committees. Naturally their discharge of disagreeable duties aroused much hostility among the patriot friends and relatives of Loyalists; but they were able men of wide experience who performed their uncongenial tasks faithfully under the law.

The minutes of the Albany board of commissioners give a remarkable picture of their activities, covering counterfeiters, deserters, murderers, passes, prisoners, robbers and traitors. Hundreds of cases of loyalism were investigated and punishment meted out to the guilty. Since this board was the largest in the State it is reasonable to conclude that its activities were the most numerous. No doubt the other boards were equally busy. These commissioners, though seldom mentioned in histories of the State, deserve as much credit as the generals and statesmen for helping to win victory for the American cause.

The confiscation and sale of the property of the Loyalists was a problem which involved special laws and special political agencies. At first, when the Loyalists were disarmed and imprisoned or paroled, care was taken to safeguard their possessions. As the conflict became more acute, however, this policy of property protection gave way to confiscation. The English set the example, when New York was taken in 1776, by seizing the estates of patriots in the southern part of the State and by promising to the Loyalists the property of their rebellious brothers. At first arms only were taken from the Loyalists. Then on September 1, 1775, those supplying the British were required to pay double the value of the supplies. Those who enlisted or armed against the liberties of America were penalized by having their personal property turned over to the nearest committee to be held in trust. This order was soon taken as authority for confiscation. Loyalists under bond, who escaped, had their estates confiscated to pay the bond. For instance, on January 7, 1777, three horses belonging to Moses Shaw were sold at public vendue at Fishkill for £27 15s.

The definition of treason by the Continental Congress on June 24, 1776, soon followed by a similar action in New York, supplied a legal basis for confiscation, which was accentuated by the Declaration of Independence. The personal property of Loyalists, such as farm produce, live stock, tools and furniture, was quite generally appropriated after July 4, 1776, and in some cases sold. Definite instructions were given to the "commissioners on conspiracies" to seize the effects of all Loyalists who broke their parole, and on February 22, 1777, six commissioners were appointed to sell all the personal prop-

erty of those who fled to the enemy. Local committees were asked to prepare lists. On March 6th the Convention appointed three paid commissioners of sequestration for each county not in British hands, to seize, and after 10 days' notice, to sell all the personal property of those who had joined the British, the proceeds to go to the State Treasury. These commissioners with numerous changes, were continued after the war until May 12, 1784. Subsequently laws enlarged their powers and kept them very busy. The sales of the personal property of the Loyalists brought into the State Treasury more than £260,000 from the seven upstate counties. After the recovery of southern New York from the British, the sales of personal property of Loyalists for that region brought that sum up to about £300,000 which equalled about \$750,000.

Between August 3, 1775, and October 22, 1779, in response to popular clamor, the houses and lands of obnoxious Loyalists were seized and held in trust by the State. Receipts from farm products and rents went to the State Treasury. In 1778 John Jay proposed the confiscation and sale of the real estate of the Loyalists. On October 22, 1779, a law was passed which attainted fifty-nine Loyalists and declared their possessions forfeited. The act further provided that any person, on the oath of one credible witness, proved guilty of loyalism, and failing to appear after 4 weeks' advertising in the newspaper, would forfeit his property.

Commissioners of forfeiture were appointed for each of the four "great districts" of the State—three for the western, two for the southern, and one each for the other two. They were authorized to sell all confiscated and forfeited lands at public sales in small parcels. The sales began in 1780 and continued under the commissioners until 1788, when the work was transferred to the Surveyor General. Although the English historian's estimate that "two-thirds of the property of New York" belonged to Loyalists and the crown is undoubtedly exaggerated, the total acreage was large, and the State of New York realized from it well over \$3,000,000.

The estates of the Loyalists, some of them consisting of 50,000 acres, or more, were cut up into farms of from 100 acres upward and sold in part to land speculators and in part to former tenants and poor farmers, thus helping to form a sturdy class of citizens in the new State.

The Loyalists lost not only their property but also their cause, and with them their homes and their right to citizenship in the new State. In New York those who remained after the Revolution were disfran-

chised, discriminated against in taxation, and boycotted in business and professional patronage. Thousands of them lived down the obloquy brought upon them by their conduct and became good citizens. Many thousands fled from the State to find homes in other parts of the world. The exodus began in 1774 and continued throughout the war. Some went to Canada, others to New Brunswick, to Nova Scotia, to the West Indies, and to England. Possibly all told 35,000 Loyalists left New York State during and after the Revolution. From 1776 to the close of the Revolution New York City was the Mecca for the Loyalists of America.

To the very last the Loyalists confidently thought that the Revolution would be crushed and that they would then triumph over their rebel persecutors. With that hope in their hearts they sacrificed their property, their comfort and their reputations on the altar of imperial patriotism. They refused at first to believe that the powerful British Empire could lose in a conflict with a fraction of the empire in North America.

The terms of peace were treacherous and suicidal in their eyes. Benjamin Thompson wrote to Lord Sackville, August 6, 1782: "You cannot conceive nor can language describe the distress that all ranks of people here [in New York] have been thrown into by the intelligence of the independence of America being acknowledged by Great Britain, and the Loyalists being given up to the mercy of their enemies." The militia threw down their arms. Loyalists, who declared that they had been sacrificed by the British to obtain peace, threatened to take up arms against the treaty of peace. As a matter of fact the British government made an honest effort to provide for these loyal subjects in America, who lost all for the crown and empire. The treaty stipulated that Loyalist creditors should "meet with no lawful impediment" in collecting debts; that Congress would "earnestly recommend" to the states the restoration of rights and possessions of Loyalists, who had not borne arms against their countrymen; that all other Loyalists might within 12 months go into any state to recover confiscated property by paying the sale price; and that no future confiscation should be made, no further persecutions permitted, and imprisoned Loyalists be liberated. Congress duly offered the official advice promised, but the states paid no attention to it.

When confronted with the reality of defeat, and all it entailed for them, the Loyalists turned to the British government for protection and reparation. From the beginning of the Revolution it had been

the British policy to encourage loyalty by fair promises and to use the Loyalists to subdue the revolt. Those who lost property or income or offices through loyalism were promised indemnity. Those who engaged in active military service were promised rewards. While the war lasted the Loyalists were protected, fed, clothed, granted temporary annuities in a few instances, and given offices in some cases. The fugitive Loyalists in New York City were allowed to use the deserted houses and lands of the patriots. The refusal of the State to restore their property forced Loyalist owners to appeal to the British government for restitution for their losses. They organized a committee to protect their claims and James De Lancey acted on it for New York.

The king urged parliament to treat the Loyalists with "a due and generous attention." Some millions of dollars were spent to locate them on farms given them in New Brunswick, Nova Scotia and upper and lower Canada, where they were also supplied with food, clothing, building materials, tools, guns, mills, live stock and seeds. In 1782 twenty-six New York Loyalists were receiving \$18,000 in annuities ranging from £50 to £500, and \$90,000 had been paid Loyalists in general for special losses or services. In 1783 parliament appointed five commissioners to classify the thousands of petitions for compensation, and to make a careful examination in England and America into their actual merits. The total amount of losses claimed was over \$47,000,000, and of this sum New York Loyalists' claims represented approximately \$10,000,000 in amounts that ranged from \$60 to \$777,000. The allowances on these New York claims varied from \$50 to \$221,000, and the total amount paid to New York Loyalists in money, pensions, land and equipment was about \$10,000,000.

In New York the Loyalists like the patriots were made up of representatives of all social, professional, and business classes: (1) royal officials from the governor to petty county squire; (2) large landlords and their devoted tenants; (3) professional men such as lawyers, physicians, teachers and ministers; (4) the wealthy businessmen; (5) farmers; and (6) the common people in villages and cities.

After their dearly bought victory, the patriots, who had suffered greatly from the intelligence, materials, money and soldiers supplied to the British by the Loyalists and from the marauding excursions of the Loyalists and Indians on the frontiers, wished to expel them from the State. Loyalism was of so many shades, however, and the ties of blood were so numerous, that the great majority of Loyalists remained to make the best of the new situation. In 1784 a law dis-

franchised all voters proved guilty of bearing arms against the patriot cause. This act affected two-thirds of the voters in New York, Richmond and Kings counties; one-fifth of those in Suffolk county; nine-tenths of those in Queens county; all of those in the borough of Westchester. The state taxes were adjusted to throw the heaviest burden on the Loyalists. Debts due Loyalists were easily canceled. Loyalist lawyers were refused the right to practise their profession without taking an oath of abjuration in 1784, and physicians were boycotted. The Marquis de Chastellux traveling through New York said that Governor Clinton "was inexorable to the Tories, whom he makes tremble, though they are extremely numerous in the State."

One is tempted to ask: If the Loyalists were as numerous as the sources indicate, and if they included so many persons of wealth, culture, political and religious leadership, and high social standing, why was it that they exercised so little influence on the course of the Revolution? Why did they seem so singularly incapable of directing events toward a different result? The answer is not simple, nor is an explanation easy. It may be said, in the first place, that they lacked efficient party organization. One does not read of aggressive Loyalist committees and congresses to attain their objects. In fact they repudiated such political devices, while the Whigs employed them most effectively, although in 1774 and 1775 moderate Loyalists did serve in some of these bodies. This reticence and inactivity not only deprived them of leadership, but permitted their opponents to assume direction of the agitation for a redress of grievances. In the second place, they were conservatives, who moved slowly and cautiously, and consequently were soon surpassed by the superior energy and zeal of the Whigs. They were timid and suspicious of innovations demanded by a crisis. In the third place, they were disinclined to engage in civil war, because of its danger to property and established institutions. When war came, tens of thousands of them volunteered for military service but the vast majority placed an implicit trust in the British armies and in the invincibility of the British government. Too many of them felt that it was Great Britain's war and not theirs. On the contrary, the Whigs had no such delusion. In the fourth place, they permitted themselves to be intimidated and terrorized by the inquisitorial methods and penalties of the Whigs. Their retaliation was comparatively mild and ineffectual because of their lack of good leadership and organization. They seemed dazed by the unexpected development of the conflict and in too many instances permitted fear to determine their actions. This was not

cowardice so much as incompetence and lack of initiative. The triumph of the patriots accentuated their hesitancy and developed among them a policy of "watchful waiting." In the fifth place, they were handicapped by the fact that prior to July 4, 1776, most of them honestly believed that there was more justice in the American than in the British program. After that date it was too late to recover the ground that had been lost. And in the sixth place, British statesmen underestimated their usefulness and consequently failed to utilize them effectively in either a military or civil capacity. Furthermore, the hesitant and vacillating actions of the British generals were not such as to arouse the enthusiastic cooperation of the Loyalists, and too often the arrogance and brutality of the British soldiers alienated them.

The treatment of the Loyalists by the revolutionists was on the whole moderate and fair, all things taken into consideration. The period was one in which the bitterest and harshest human emotions were aroused. It is humanly difficult to look at things calmly and to gauge motives justly and charitably in time of war—particularly if it is a civil war between groups within a state. The Whigs were treated quite as severely by the Loyalists in regions where the Loyalists, under British protection, were in the ascendancy. Nevertheless no such slaughter and terrorism prevailed as in the French revolution and in the Russian revolution. One is surprised to see what pains were taken by the Whigs to have the incarceration and penalization of Loyalists made only in accord with law. Of course the Whigs, in control of the newly created political machinery, could enact such laws as they pleased. The various acts attainting certain conspicuous Loyalists and sentencing them to death as traitors were probably intended to supply a reason for confiscating their property rather than to wreak vengeance on them in death. Considering all the factors involved things might have been very much worse.

The Loyalists lacked that superb faith in popular government and that determined optimism which gave birth to a new nation. They stood in the path of progress and suffered the consequences. They made the military conflict much more difficult for the patriots, because it became a fratricidal struggle within the colonies as well as a civil war within the British Empire. Confronting such odds all the more credit is due the patriot fathers for their triumph.





## X

### RESULTS OF THE REVOLUTION IN NEW YORK

#### Political

For 8 years, in common with the other colonies, New York endured the trying ordeal of a civil war called the Revolution. No other State was continuously occupied by the enemy and either engaged in or threatened with actual warfare. As a result of this experience, how did New York differ in 1783 from what she had been in 1775? Just what changes occurred in the ideas, customs and institutions of the people during that period to warrant its designation as a "revolution"? It is the purpose of this final chapter to answer these questions.

In considering the results of the Revolution in New York, one may easily assume that a greater transformation occurred than actually did take place. In fact the civilization of New York in 1783 was predominantly that of the prerevolutionary period. Language, names, religions, customs, laws, institutions and political offices of the colonial period survived the Revolution and characterized the new régime. The important differences were found in a new source of political authority, a new type of control, an altered outlook, a changed spirit and modified political machinery. Perhaps the greatest result was that the masses of people believed that somehow a mighty transformation had taken place and henceforth they acted under this conviction.

It should be remembered that the colonists did not regard themselves as revolutionists. They never applied that term to themselves, nor did they speak of the war at the time as a revolution. From first to last they took special pains to demonstrate that their actions were indisputably legal and constitutional. They professed to stand on "the immutable laws of nature," on "the principles of the English constitution" and on their own charter rights. The radical innovations, they asserted, came not from America but from George III and his imperial parliament. "The intruding imperialism of Great Britain" provoked armed resistance. The Americans had far more liberty than Englishmen at home, and hence they were determined not to have it lessened by the "impulse to empire" overseas.

Politically New York entered the Revolution as a colonial dependency and emerged as an independent sovereign state. From being a part of the British Empire it was transformed first into a free, self-governing commonwealth and then became a member of a new confederation. Supreme control was transferred from a king and parliament overseas

to the colonials themselves. Accomplished through force, this was perhaps the most significant aspect of the Revolution. Indeed this shifting of sovereign power was the Revolution.

After the State of New York declared its independence, it proceeded to draw up a new constitution to regulate its life. The Constitution of 1777 was not so much of a novelty as one might think. The colonists had felt that they lived under two constitutions — one colonial, the other imperial. The imperial constitution was repudiated by the Revolution and the colonial constitution was revised to meet the modified situation. An intense interest in the legal relations of the empire was aroused by the legal disputes from 1763 to 1774. "I hear," said Burke, "that they have sold as many Blackstone's Commentaries in America as in England."



Samuel Kirkland

Perhaps the best description of the government of New York under the colonial constitution was given in 1774 by Governor Tryon, which may now be found in the New York Colonial Documents, volume VIII, page 443. By comparing that description with the State Constitution of 1777, the following governmental modifications are apparent:

- 1 All royal authority was repudiated, and the royal Governor was overthrown. In his place was set up a governor chosen by the people as their direct representative but clothed with fewer powers, limited in his term of office, and paid a much smaller salary. The military powers of the Governor were the same.

- 2 The Governor's colonial Council of twelve members, appointed by the crown, acted in an executive capacity in granting patents and mak-

ing civil appointments; in a legislative capacity as a local house of lords or upper house; and in a judicial capacity with the Governor as a court for the correction of errors and of appeals. This body was abolished and its powers were distributed. In a sense it was displaced by the Senate, which was elected by the people of the four great districts of the State and became an important branch of the Legislature.

3 The Assembly of the colony was retained by the State with some changes. The number of members was increased from thirty-one in 1774 to seventy in 1777; the term of service was reduced from 7 years to 1 year; and assemblymen were paid by the State instead of the counties as before. The Constitution of 1777 increased the power of the Assembly at the expense of the Governor by controlling indirectly the appointments to state and county offices. The veto power was taken away from the king and the Governor and shared with the judiciary. The new Assembly jealously guarded its control over money bills and resented an effort by the Senate to a share in this authority. There can be no doubt that the state fathers deliberately increased the prestige of the Assembly because of the earlier hostility toward the king's representative. With the exceptions noted, the colonial Assembly persisted in the State Assembly.

4 The colonial judicial system from the Chancellor to the local justice of peace passed into the State Government with scarcely any important alterations because the judiciary had been regarded as a bulwark of colonial liberty. The State Constitution of 1777 took the supreme judicial function away from the Governor and vested it in the Lieutenant Governor and the Senate, the Chancellor, and the justices of the Supreme Court. The power of impeaching all officers of the State for corrupt conduct passed over to the Assembly. The Supreme Court, the county courts and the courts of the justices of peace were continued from colonial days. In 1778 the Legislature divested the Governor of his power over wills, intestate estates and marriage licenses and gave it to the court of probates.

5. Except for the emergencies of the Revolutionary War no new state officers were created. The secretary of state, auditor general, treasurer, attorney general, and surveyor general of the colony were carried over into the State Government, with only minor variations in their duties.

6 Fewer modifications were made in local than in State Government. The fourteen counties remained the same when the Constitution of 1777 was adopted<sup>1</sup> and the political subdivisions of the counties continued except in a few instances where larger units were divided. In

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<sup>1</sup> Cumberland, Gloucester and part of Charlotte counties formed part of the State of Vermont recognized by New York in 1790.

the colonial period the local officials were partly elected by the people and partly appointed by the Governor and Council. With the establishment of the State about the only change was the transfer of the appointive offices from the Governor to the Council of Appointment. Apparently no new local offices were created until some years after the Revolution ended. The charters of the cities of Albany and New York granted by the royal governor in the king's name were sanctioned by the Legislature, and the mayor, aldermen, recorder, clerk and numerous judicial and administrative officers were continued without change except that those previously selected by the Governor were now named by the Council of Appointment.

7 The common law of England and the colonial laws were accepted as the laws of the State with little modification. The only notable change was in the law governing property. Entails and primogeniture were abolished on July 12, 1782, by the Legislature and thus property inheritance became more democratic. With the destruction of the entails went manorial privileges. Tenants who held property in "fee-tail" now held it in fee-simple. Intestate property was to be divided equitably among all the heirs. When one recalls how many of the estates up the Hudson and Mohawk valleys were great manors, it will be realized that this abolition of the remnants of feudalism in New York was one of the most important products of the Revolution.

8 The State of New York separated from the British Empire, but proceeded at once to become a member of another political society. The Continental Congress having created the United States of America under the Articles of Confederation, New York on October 23, 1779, ratified the articles and thus officially became a unit in the new national state. To the Legislature of New York belongs the distinction of being the first state to offer to cede its land claims to the Confederation, as a whole, in order to placate the discontented states. This membership in the Confederation entailed certain obligations to carry the war to a successful issue and to cooperate in the period of reconstruction following the treaty of peace. The logical outcome of the various tendencies toward national unity, which had been in evidence for some decades, coupled with the inadequate character of the Confederation, was the creation of the Federal Republic in 1789. In that forward step New York was represented by John Lansing jr, Robert Yates and Alexander Hamilton. Lansing and Yates withdrew in protest before the Constitution was framed, leaving Hamilton to represent New York alone.

The ratification of the Constitution of 1787 was opposed in New York by a powerful party led by Governor Clinton, Robert and Chris-

topher P. Yates, John Lansing jr, Samuel Jones and Melancton Smith, while Alexander Hamilton, John Jay, Lewis Morris, John S. Hobart, Robert R. Livingston and James Duane as champions of the new document in a stormy session of the state Convention at Poughkeepsie carried the day by a vote of 30 to 27; after the required nine states had already ratified the Constitution. New York City was chosen as the first capital of the new Republic. George Washington on April 30, 1789, was inaugurated President at Federal Hall. Chancellor Robert R. Livingston tendered the oath of office. John Jay became the first Chief Justice of the United States; Alexander Hamilton was the first Secretary of the Treasury; and Samuel Osgood was the first Postmaster General.

9 The right to vote under the charter of liberties of 1691 was extended to every freeholder who had "40 shillings per annum in freehold" and "every free man in any corporation." This liberal franchise was soon changed by increasing the 40 shillings to £40. Catholics, Quakers and Moravians were disfranchised. Elections were held at one place in each county, and voting, which was oral, was restricted to minor local officers and assemblymen. These conditions continued down to the Revolution. Beginning with 1774 the local committees and congresses were chosen apparently by a wider franchise, which was in itself a revolutionary step. For example, the Schenectady local committee on April 27, 1776, asked "all male inhabitants" of full age, who had resided in the district for 3 months to elect a new committee. This democratic practice seemed to prevail from 1774 until the Constitution of 1777 was put into operation. That instrument created three classes of voters: (1) freeholders, being actual residents, who owned freeholds worth £100 above all debts, who could vote for Governor, Lieutenant Governor, Senators and Assemblymen; (2) those males who resided in the State 6 months, and possessed freeholds of the value of £20 or paid a yearly rent of 40 shillings; and (3) the freemen of Albany and New York City. The last two groups could vote for Assemblymen, but not for the other elective state officers.

The common council of Albany in 1773 decided that every person 21 years of age born in the British Empire could vote in the ward where he had resided for 6 weeks. Bond servants were denied this right during the period of service. The Dongan Charter gave the mayor, recorder and aldermen the privilege of making freemen under their common seal on the payment of a fee of £5. These freemen were mostly the business and professional men, and could vote for Assemblymen as well as city aldermen. The old charter of Albany was continued in 1778 by authority of the State.

In New York City it is said that the voters were fewer proportionately than in the rural districts. The restriction of suffrage to freeholders and freemen excluded the relatively large number of lodgers, tenants, and rent payers. The freemen were not so numerous as freeholders. For instance in 1790 out of 30,000 people there were 1209 freeholders of the £100 class and 1221 of the £20 or 40 shillings rent class. In 1784 on the payment of £5 the list of freemen was widened to include, in addition to businessmen, many of the skilled workers.

It should be remembered that the property requirements for voters for Assemblymen were more liberal than might appear at first thought. Any man who owned real property valued at \$50 or paid annual rent of \$5 could vote. This provision was so liberal that it excluded only paupers and lodgers or sons living with their parents. There seems to be some ground for the belief that for purely local elections the general male suffrage exercised by the people in the opening years of the Revolution was still exercised after 1777 in the election of town clerks, supervisors, constables, collectors and other minor officials. There are numerous instances where the "freeholders and inhabitants" or "all male inhabitants" of full age are requested to choose local officers. The law of March 12, 1778, increasing the number of assessors provided that the "inhabitants" should meet in the usual places and by a plurality vote decide who was elected. Future elections were to be held not at one place in the county, as in colonial days, but in the local political subdivisions. Great care was taken by law to have an honest ballot and an accurate count. The creation of the Federal Republic in 1789 left the right to regulate the qualifications for voting to each state.

10 The Revolution gave the patriots as a whole a new realization of their own rights. Participation in elections, service on committees, fighting in the army, and sacrificing to win the war developed a new political manhood and a better citizen than the colonial type. Many inexperienced and unknown men were called forth as political and military leaders to guide the young State. The general result was an equalizing and democratizing movement. After "the people" assumed the sovereignty of the British parliament, the royal lands and quit-rents, and full political power to govern themselves, the masses of the people who could vote only for Assemblymen and local officers, or were disfranchised altogether, clamored for the full right to vote and eventually got it. It was not until 1821 that general male franchise was established in New York.

11 The Indian Six Nations on the western frontier of New York were early recognized by British and Americans alike as likely to be

an important military factor in the Revolution. With their tributary tribes they controlled a territory 1200 miles long and 600 miles wide, which was 15 times as large as the whole State of New York. At the outbreak of war the British sought to retain the allegiance of the red men, and the Americans did their utmost to win the Indians to their side or at least to induce them to remain neutral. In 1775 the council of the league declared for neutrality but allowed each of the Six Nations to choose for itself. The frantic negotiations of the British and Americans form an interesting chapter in the Revolution.

Because of the unparalleled influence which Sir William Johnson (d. 1774) had exercised as superintendent of Indian affairs, his successor in that office, Guy Johnson, succeeded in keeping the Mohawks, Cayugas, Senecas, Onondagas and most of the Tuscaroras staunch allies of the British. The Mohawks followed their great chief, Brant, to Canada early in the struggle. How these tribes terrorized the western and northern borders of New York during the war has been described. Through the influence of the missionary, Rev. Samuel Kirkland, the Oneidas and a portion of the Tuscaroras sided with the Americans.

For years this powerful Indian confederacy had hung like a menacing cloud on the western frontier of New York. The triumph of the Revolution broke its power and forced the hostile tribes to emigrate to Canada. Most of the Indian lands were obtained by the State of New York, and the fertile region west of the present city of Utica was opened up to the flood of white settlers who poured into that region after the treaty of peace was signed. The expulsion of the red man and the rapid settlement of western New York by Americans are consequences of the Revolution of the greatest significance and yet scarcely mentioned by historians. Never again were the Iroquois a menace to New York.

### Social

The social results of the Revolution were more significant than has been commonly supposed. Colonial society in New York presented three distinct strata: (1) the royal officials and rich landlords, who, though few, were influential and able to dominate colonial life; (2) the middle class, composed of professional men and the businessmen, who were more numerous and potentially the future rulers of the province; and (3) the skilled mechanics, the common workers and the small farmers and tenants, who constituted the largest portion of the population. The Revolution altered this social scheme considerably. The royal officials disappeared entirely. The wealthy landlords in many instances were Loyalists, who either left or were exiled from the



Aaron Burr  
From Painting by John Vanderlyn  
(Courtesy New York Historical Society)



State. Their property was confiscated, cut up into small farms and sold. Thus the aristocracy of the State was greatly reduced but not eliminated, for many of its members were wise enough to espouse the patriot cause. It was that portion of the middle class and common people, which did not follow the royal officials and landlords in their devotion to the unity of the empire, that led the revolutionary movement, assumed the revolutionary government, armed the revolutionary army, and supplied the means to win the war. John Lamb and Alexander MacDougall were popular leaders who sprang from the people. The aristocratic leaders like Jay, Gouverneur Morris, Hamilton and Robert R. Livingston were all men under 30 years of age when the Revolution began and thus had their careers to make. The social transformations which occurred in New York as a result of the Revolution were quite as pronounced as the political changes.

The manners and customs of the people persisted very much as in colonial days, but with less pomp and ceremony, less formality, greater simplicity and more seriousness. The manners and mode of living of Governor Clinton were in sharp contrast to the court of the royal governors. The poverty entailed by the war and the difficulty of reaching European markets soon eliminated the stylish garments, hats and boots imported from London and Paris, and replaced them with homespun and homemade articles of wearing apparel.

The occupations of the people were not greatly changed by the 8 years of war. In colonial days New York was predominantly an agricultural community. Of course in New York City with its fine harbor considerable attention was devoted to commerce and trade, but the great majority of the people were identified with agriculture and the bulk of the wealth of the colony was in land. The competition between the farm, and the ship and shop, made labor scarce but did not raise wages. Money is always less plentiful in a frontier community, while land, rent, food, and clothing are cheap. After the Revolution land was more widely distributed than ever among the people (1) by the sale of the forfeited Loyalist estates; (2) by the grant of public land as bounty to the soldiers; and (3) by the opening up of the West for settlement.

Under the colonial government the poor were cared for by the collection of annual poor rates in the counties. With the outbreak of the war this problem became more serious. The revolutionary legislature continued the colonial system but on November 12, 1776, went a step further in creating a state committee of three persons to have a general supervision of the poor from the counties held by the British, the employment of the destitute, and the placing of poor children

as apprentices. The dependents of Loyalists as well as those of patriots were to be cared for. The next year, special commissioners were named to provide for the poor in Westchester, Dutchess and Orange counties. A committee was also appointed to devise means for assisting the poor people driven out of their homes by the enemy on the northern and western frontiers. This humanitarian service in the midst of war was a great credit to the statesmen of New York.

In 1780 the Legislature ordered the overseers of the poor in Ulster, Orange, Westchester, Tryon and Charlotte counties to report the number of the poor to their supervisors, who would then proceed to assess the localities so that the tax collectors could gather in the money to provide for the indigent. At the close of the war in 1784 supervisors were authorized to levy and collect taxes to be spent by the overseers of the poor to care for those in want. The earlier acts which established the Anglican church in New York City and in Richmond, Westchester and Queens counties were all repealed in 1784 and with the repeal was withdrawn the right to collect tithes to care for the poor. A special act in 1783 provided for the raising of delinquent taxes for the poor on Cortlandt manor.

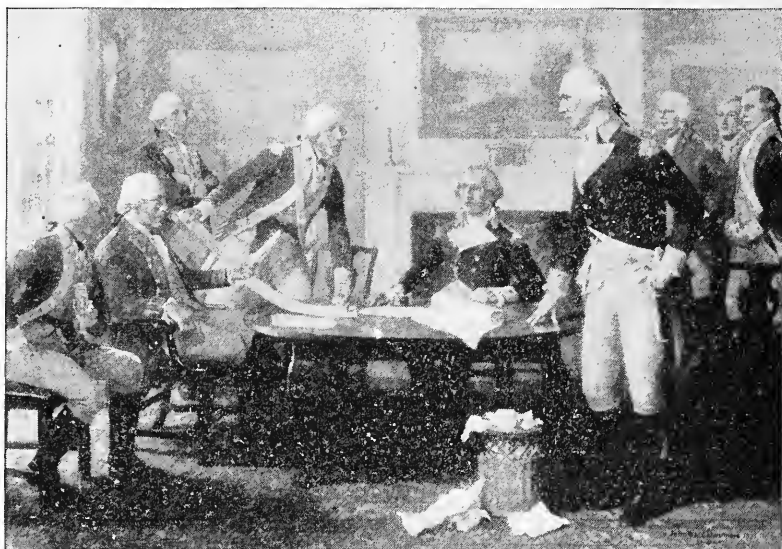
On July 9, 1776, after the Declaration of Independence was adopted, the Convention ordered that all prisoners for debt be kept in jail until legally released. Imprisonment for debt was common in colonial times. At the close of the war the Legislature in 1783 passed a bill to free "insolvent debtors" from prison but it was vetoed by the Council of Revision and did not become law until 1831. By the act of April 17, 1784, the imprisoned debtor was permitted to petition the court explaining the cause of imprisonment and asking for freedom. If the creditors were willing, he might be discharged. Societies for the relief of distressed debtors were formed to urge the modification of the harsh law. Apprentices and indentured servants, hoping to gain their liberty, frequently ran away and enlisted in the army. Many from New York City escaped to Connecticut for this purpose but the Provincial Congress ordered them returned to their masters and decreed that they should not be recruited without the master's consent. No doubt many a man gained his freedom in this way and with it a greater opportunity to better his lot in the State. The drastic code of criminal law which was copied from England in the colonies persisted with little change through the Revolution. That it was not attacked by popular outcries was due to the leniency with which it was administered. In 1795 Governor Clinton said "it is indeed a subject of melancholy consideration, that our criminal law should be so repugnant to the mild genius of our Constitution, and so similar in its punishments to the cruelty of despotic governments."

John Jay and other leaders felt that, consistent with the ardent defense of the rights of man, the State should abolish slavery; but the Convention in Jay's absence, on the motion of Gouverneur Morris, decided by a vote of 24 to 12 that "it would be highly inexpedient" to liberate the slaves at that time. A society for the gradual emancipation of slaves was organized in New York City in 1785 with John Jay as the first president. This society was instrumental in having a law passed in that year prohibiting the sale of negro slaves imported into the State and making it easy to manumit slaves either by a registered certificate or by will. In 1788 the purchase of slaves for removal to another state was forbidden, they were allowed trial by jury "in all capital cases," and the earlier laws about slaves were simplified and restated. The emancipation of slaves by the Quakers was legalized in 1798. At that date there were still about 33,000 slaves in the State. On March 29, 1799, an act was passed for the gradual abolition of slavery in New York. Any child born of a slave after July 4th was to be free at the age of 25 years if a girl and 28 years if a boy.

The war left the State in a disorganized condition. On January 10, 1778, Governor Clinton wrote that the war had "exhausted" and "plundered" the State, that "numberless families" had lost their farms and homes to the enemy and had to be supported by the rest of the people. He endeavored to lighten their burden as much as possible, because he felt that they had gone so far beyond the demands of the Continental Congress in furnishing supplies that they were impoverished and in want. While one must guard against drawing too dismal a picture of the poverty and suffering entailed by the Revolution, yet both existed unmistakably, as the sources show. "You can have no idea," wrote an elderly woman in 1782, "of the suffering of many who from affluence are reduced to the most abject poverty, and others who die in obscurity." It was out of such self-sacrifice and heroism on the part of the civilians that there developed a sturdy, self-reliant, resourceful people who saw the war to a victorious conclusion and wisely solved the weighty problems which came inevitably with independence.

New York City in 1783 was in a state of confusion and turmoil. The population consisted mostly of the British, Loyalist refugees of other states, and New Yorkers who were either open friends of the British cause or by silence and conformity gave that impression. When the evacuation was at last completed, the population was reduced to 10,000 people, and most of them were under suspicion. Naturally the social readjustments necessitated by the evacuation of the city and

its reoccupation by the patriots covered a wide range. Thousands of persons who had fled at the approach of the British returned to recover their homes and to take up the threads of life in what must have seemed like a foreign city. Rents were reported to be excessive in 1784 and prices were generally high. Within 3 years after the British and Loyalists departed, it was estimated that the inhabitants numbered 24,000. An influx of immigrants set in, mostly Irish, but other nationalities were also represented in 1783. John Jay in 1785 discouraged the wife of Lafayette from coming to New York because "the pleasures of Paris and the pomp of Versailles are unknown in this



"Conference between Washington and Sir Guy Carleton to Arrange for the Evacuation of New York City"

From copyrighted photograph of Painting on Exhibition in the Majestic Hotel Gallery, New York City

(By permission of the artist, John Ward Dunsmore)

country." Yet in 1792 the people of New York celebrated the tercentenary of the discovery of America with music, poetry, orations and banquets.

The Revolution engendered in the hearts of the patriots an intense hatred of monarchy and aristocracy. So widespread was this feeling that it is not likely that even Washington would have been tolerated as a king. Jealousy of rank flared up when officers of the continental army were promised half pay for life, on the ground that it would create a dangerous military aristocracy. Congress heeded the protest by substituting 5 years' full pay in cash. When the disbanded officers

formed the Society of Cincinnati near Fishkill, N. Y., in 1783, the common soldiers and people objected to the "hereditary aristocracy" created and feared the political influence of the order. Most of the patriots were the descendants of sires who had fled from the galling burdens of an aristocratic society in Europe, and now that they had won the right of self-government at a terrific cost, they were determined to maintain social as well as political freedom in America. Notwithstanding the election of a popular idol like General Alexander McDougall as president, and Governor George Clinton as vice-president of the New York State Society of Cincinnati, popular resentment virtually forced the temporary dissolution of the society.

The Sons of Liberty of the early days of the Revolution joined with the Sons of Saint Tammany in 1789 to form the Columbian Order as a "fraternity of patriots solemnly consecrated to the independence, the popular liberty and the federal union of the country." William Mooney, a Revolutionary soldier, was the organizer, and a practical work taken up by the society was to care for the widows and orphans of Revolutionary soldiers. Many of the disgruntled soldiers who had failed to obtain the right to vote were members. This Columbian Order later became Tammany Hall, so powerful in city, state and national politics.

### Economic

The economic results of the Revolution were noticeable in many directions. The State took over the colonial finances, but the funds derived from the colonial treasury were not large. Consequently the war had to be financed from new resources. For this purpose the credit of the United States and of the State of New York was used to issue paper money. When this currency declined in value until it was almost worthless, New York faced the situation heroically, levied heavy taxes on the people, and after a desperate struggle emerged some years after the war financially sound. The people learned the terrific cost of a war of independence. At times the situation looked hopeless. As late as 1781 Governor Clinton declared that it was "more than a hazard" that "we shall not be able without a change in our circumstances long to maintain our civil government."

At the outset of the conflict, the people of New York were fairly prosperous. With the exception of a few articles like tea, sugar, rum, salt and luxuries in clothing they produced the commodities which they needed. War required immediately arms, guns, uniforms, shoes, tents, medicines and ammunition. The quantity of these articles available was quite limited, and the stores had been deliberately depleted by the nonimportation agreement. The situation was desperate and the leaders were frantic in their efforts to prepare the colony for war.

Sources of supplies of iron, lead and salt were inspected. Bounties and loans were offered to encourage the erection of foundries, powder mills, armories, looms and shops for leather goods, clothing and buttons. The situation called forth the capacity for organization, inventive genius, manufacturing ability, and the utilization of substitutes. The resourcefulness and ingenuity developed, in a way, prepared the foundations for New York's industrial primacy in later years.

Just as the soldier was forced to fight against heavy odds for lack of suitable equipment, so the farmer and mechanic were handicapped for tools, raw materials, seeds, and implements which they were accustomed to obtain abroad. With large areas of the State in the hands of the enemy, and with much of the manual labor called off to the army, the supply of food declined in quantity and increased in price. The live stock diminished, scarcely enough horses were left to till the soil, the amount of wool and flax and hemp was below the demand, and leather was difficult to obtain. The deprivations and hardships of the nonmilitary population were almost as great as those endured by the men on the firing line.

New York was left in 1783 overwhelmed in debt, with her trade destroyed, with her farming equipment depleted, with her people impoverished, and confronted by the problem of rebuilding her economic life. New York had fine harbors, however, and inland rivers for a great commerce, rich farming and timber lands, valuable natural resources, and above all else a hardy, self-reliant, resourceful and industrious people. With these assets it was scarcely a generation before the distressing fruits of the war were overcome and New York was on the way to become the Empire State.

The trade and commerce of New York were practically destroyed by the capture of the only seaport by the enemy. For several years after the British evacuation the situation was desperate. Capital, produce and ships were lacking. The chamber of commerce, incorporated in 1768, resumed activity and gradually business revived. In 1785 the "Empress of China" returned from a profitable voyage to the celestial empire and the "Betsy" made a similar venture to India. By 1788 it was reported that a hundred ships could be counted at the docks of New York City.

One of the most significant results of the Revolution was the transformation brought about in the debtor and creditor classes. Those persons who had their wealth in business, in commerce and in mortgages saw it largely wiped out by the depreciated paper money and the disorganizing influences of war. On the contrary, those who owed money were able to meet their obligations with cheap

money. This economic readjustment tended toward the equalization of wealth and placed more power in the hands of the poorer class. At the same time cheap paper money enabled many of the landless class to acquire farms which quickly improved their economic lot. On the whole the agricultural class suffered less from the war than any other class in the State.

### Religious

The Revolution had a religious side which has been quite generally overlooked. The Anglican clergy as a rule sided with the British; and certainly a majority of the Loyalists were Episcopalians. The project to set up a bishopric in America was one of the indirect causes of the revolt. So obnoxious did the leaders, the Rev. Charles Inglis, Rev. Samuel Seabury and Dr Myles Cooper, become to the New York patriots that a change of residence was forced upon them. Yet New York Episcopalianism furnished for the Revolution such leaders as John Jay, James Duane, Gouverneur Morris and Alexander Hamilton. The Methodists, following their leader, John Wesley, were for the most part Loyalists. It would be a serious error to assume, however, that Loyalist, Episcopalian and Methodist were synonymous. Among the Loyalists were men of all religious beliefs, and among the Revolutionists were many Anglicans and Methodists. In 1776 Trinity Church in New York City was burned, and the church bells were sent out of the city to be cast into cannon.

Just as Anglicanism was the heart of loyalism, so Calvinism was the core of republicanism. Although some members of the Congregational, Presbyterian, German Reformed and Dutch Reformed churches were Loyalists, a majority of the Revolutionists were affiliated with the Calvinistic denominations. In New York the patriots were dubbed the "Presbyterian party." Its leaders were the Livingstons, the Smiths, Alexander McDougall, John Morin Scott and John Lamb. Dr Charles Inglis said that he did "not know one Presbyterian minister" who opposed the Revolution. In New York the powerful Dutch Reformed Church supported the American cause in every possible way, but there were exceptions like the Rev. Garret Lydekker who ministered to the Dutch Loyalists in St George's Chapel, the Rev. Hermanus Lancelot Boelen of Oyster Bay, and the Rev. Joannes Casparus Rubel, who was expelled in 1784 for beating his wife, getting drunk, and toryism. The German Reformed Church in the Mohawk Valley was uniformly patriotic, but the Rev. John M. Kern of New York City was an ardent Loyalist.

The other churches were more or less divided on the American cause. Pastor Frederick Augustus Conrad Muhlenberg of the German

Lutheran Church of New York City followed his father and brothers in supporting the patriots, but other ministers and communicants of that denomination were Loyalists. Washington praised the Baptists for their uniform and unanimous devotion to civil liberty. The Rev. John Gano was recruiting Baptists in New York City when driven out by the British. Throughout the war he was an active revolutionist, serving General Clinton's brigade as chaplain for some time. When the war was over he returned to the metropolis to reunite his scattered flock, but out of 200 members only thirty-seven could be found. Washington lauded the "patriotic part" taken by the Roman Catholics, who seem to have been quite active after the Catholic countries, France and Spain, recognized the United States. Quakers naturally sought to remain neutral but found such a course difficult. This indifference brought upon them charges of disloyalty and punishment. It seems clear, however, that the hearts of a majority were with the patriots. The New York Committee of Safety on September 7, 1775, ordered the Quakers to hand in a list of their males between the ages of 16 and 60 years. On December 27, 1776, a special affirmation of allegiance was drawn up for Quakers in Westchester county. The Dutchess county Quakers sent a deputation to the Committee of Safety asking that the test be suspended, but the request was refused on January 21, 1777. On June 19th of that year the Council of Safety ordered the commissioners for detecting conspiracies to arrest and imprison at their own expense about twenty Quakers who had attended one of their annual meetings on Long Island without consent. Two months later they were released after making the affirmation of allegiance and paying costs. In 1780 they were assessed with a special tax, 40 shillings for freeholders and 16 shillings for "residents," in lieu of military service.

As a result of the triumph of the Revolution, the churches began to reorganize on a national American basis. In 1784 the Methodists separated from England and formed the Methodist Episcopal Church with its own bishops. The Episcopalians in 1785 created the Protestant Episcopal Church following a preliminary conference in 1784 in New York. The Roman Catholics were united in 1790 under Bishop John Carroll who was given jurisdiction over all Catholics in the United States including the 1500 in New York. In like manner the other churches were unified and Americanized, and had much influence in generating a spirit of nationalism.

One of the greatest results of the Revolution was the adoption of the principle of the separation of the Church and State. Religious liberty accompanied political freedom in the minds of the patriots. State



churches were disestablished in New York by the Constitution of 1777 and religious toleration was guaranteed to all sects. In 1693 the Episcopal Church was established by law in the city and county of New York, and in the counties of Westchester, Queens and Richmond. From that date until 1776 the Calvinists, Quakers, Jews, Roman Catholics and people of other faiths, as well as Episcopalians, were forced by general taxation to support the English church. Dr John H. Livingston on October 22, 1783, set forth the situation exactly when he said that the Revolution had destroyed all state-church ideas. On April 6, 1784, a law permitted any religious society to organize as a body corporate to manage its temporal affairs.

During the war church buildings were destroyed, plundered or used for military or hospital purposes, and too often permitted to fall into decay. In some instances the British carried church furniture back to England where it was used for ecclesiastical or domestic purposes. Religious services were sadly neglected. Whole congregations were disbanded. The task of reconstruction was a gigantic one but the ministers and people of the various denominations took up the problem with superb optimism. Notwithstanding the exemption of all clergymen from military service, they did not seem able to keep their congregations intact during the war.

Eight years of war had coarsened the people of the State. Profanity, immorality, theft, burglary, robbery, gambling and other evils called forth prayers and importunities from the pious. In 1780 the "Ministers and Elders" of the Dutch Reformed Church of New York memorialized Governor Clinton "to suppress all scandalous and heaven-provoking improprieties." They said that "vices of the first magnitude were boldly practiced" to the perversion of good order in society, and that magistrates and ministers could no longer curb "the spirit of licentiousness." The Lord's Day was "wantonly profaned"; the "awful name of God" was used on the most trivial occasions; gaming was carried on with "unrestrained freedom"; and vice and immorality were rampant. They asked the Legislature to enforce the old laws and to enact new ones to reform the growing evils. The records of the state and local committees are full of criminal cases covering all sorts of moral shortcomings. This heritage of crime, vice, and immorality was one which the State and churches earnestly endeavored to get rid of in the post-Revolutionary period.

In 1779 the Legislature passed a bill "to prevent horse-racing and theatrical entertainments," but the Council of Revision objected to it because it put too much power in the hands of a single justice of the peace, and it failed to become law.

Representatives of many religions were found in New York—Jew and Gentile; Catholic and Protestant; Anglican, Calvinist, Methodist, Lutheran and Quaker. Although stern measures were used against those sects that tended to side with the British, yet on the whole there was shown an admirable spirit of forbearance and tolerance. This condition made it easier to create a friendly interdenominational feeling after the war ended.

### Cultural

To appreciate the effects of the Revolution on educational institutions, one should know the character of the earlier agencies of instruction. The colonial instruments of culture and intelligence were: King's College, founded in 1754 in New York City, which had graduated upward of 100 young men; Latin and grammar schools, public and private; newspapers; at least six public libraries besides a number of others owned by individuals; a few collections of art, and a moderate degree of proficiency in music. In cultural attainments the colony of New York compared favorably with others, and the facts seem to contradict the assertion of Grahame that "the great bulk of the people were strangers even to the first rudiments of science and cultivation, till the era of the American Revolution." Quite a few of the men of the colony were graduates of King's College, Yale, Harvard, or British universities. The proportion of trained professional men such as lawyers, doctors, engineers and ministers was as large, compared to the population, as in other colonies. Instruction was given in Latin, Greek, Dutch, German, Spanish, Italian and French as well as English. Private tutors were generally employed particularly in the metropolis, and the newspapers contained many advertisements of such service. Special efforts were made to extend these privileges to young women—particularly the "polite French language." Evening schools for language, science, mathematics, surveying, navigation and bookkeeping were rather common in New York City. There seemed to be a call for a practical and vocational type of education in colonial New York as well as the classical. The Latin grammar school never flourished here, although several attempts were made to establish one in New York City.

When the Revolution began there was no established system of either elementary or secondary schools. Such schools as existed were managed either by private individuals or by church societies. Perhaps they were more numerous than one might suppose. From 1710 to 1776 the Society for the Propagation of the Gospel in Foreign Parts

maintained in the colony from five to ten elementary schools with from twenty to eighty-six pupils. This was the "nearest approach to a public school system." A recent list of schoolmasters in New York from 1775 to 1783, printed by the State, includes fifty-two names from seventeen different counties, towns and cities. Most of them were in English elementary and secondary schools, but the Dutch were well represented. About twenty-four of them came from New York City, and the rest from the Hudson and Mohawk valleys and Long Island. A number of the schoolmasters were Loyalists. Some of them joined the British army, and others were placed under surveillance at home. During the British occupation of southern New York the evening schools, private schools and special tutors were kept busy in New York City. In 1777 Latin and Greek were advertised in the metropolis as well as the common branches, and practical subjects like book-keeping, surveying and navigation. George Murray, a Quaker, kept a school on Crown street opposite the Friends' meeting house. Evidently it was disrupted by the British occupation, for one reads that the school was reopened in 1783.

The Poor Law of 1788, probably repeating earlier provisions of the Duke's Laws, required that every person who took a child as an apprentice "shall cause such child to be taught and instructed to read and write." The overseers of the poor were expected to see that the law was carried out. This was the earliest example of compulsory education after the Revolution.

The first important move to counteract the destructive influence of the war on education came from Governor Clinton in an address to the Legislature at its sixth session on June 11, 1782. "In the present respite from the more severe distresses and calamities of the war," he said, "I can not forbear suggesting to you a work which I conceive ought not to be deferred, as the business of peace, the promotion and encouragement of learning." Although the war had "occasioned a chasm in education, extremely injurious to the rising generation," he urged that it was "the peculiar duty of the government of a free state" to establish "schools and seminaries." This public obligation he kept before the Legislature and on January 21, 1784, he again declared that "neglect of the education of youth is among the evils consequent on war" and urged "the revival and encouragement of seminaries of learning." Following the suggestion of the Governor both houses of the Legislature early in 1784 appointed committees on education.

No mention of schools seems to be made in the records of either the local or state bodies during the Revolution. Apparently the schools

were left entirely to private initiative—either individual or institutional. That the colonial schools were disrupted more or less by the war seems probable. Evidently Governor Clinton's appeal for their "revival" was occasioned by their neglect if not abandonment. The authorities of the Dutch Reformed Church in 1783 voted 4 days after the treaty of peace was signed that Peter Van Steenberg, "public schoolmaster of this congregation," had permission to reopen his school and to live in the schoolhouse. Other men within and without the Legislature were thinking of state support for education, and in consequence laws were passed in 1782, 1784 and 1786 which set apart two lots in each township in the public lands of the State for the "gospel and schools." This allotment was made by the Surveyor General in 1789. So successful was the experiment that in 1792 Governor Clinton mentioned the highly satisfactory "condition of our seminaries of learning." At the same time he felt that they were for "the children of the opulent" and in 1795 urged "the establishment of common schools throughout the State."

Upon the advice of the Board of Regents in 1793 that common schools be organized in the State and the recommendation of Governor Clinton the law of 1795 was passed appropriating funds for schools in the cities and towns. The pupils were to be taught English, mathematics and other useful branches of knowledge. The money was distributed among twenty-one counties on the basis of voters for Assemblymen. The supervisors of these counties were authorized to apportion the funds among the towns on the basis of "taxible inhabitants." The county supervisors (except in New York) were to raise by local taxation a sum equal to half the money received from the State. The "freeholders and inhabitants" of the towns qualified to vote at town meetings were authorized to elect from three to seven commissioners of schools to manage the schools.

The "inhabitants" of each school district were empowered to meet for the purpose of selecting teachers, of erecting buildings, and of appointing two or more trustees. Systematic reports of the schools were to be made out by districts, towns and counties to the Secretary of State, who in turn made a general report to the Legislature. The Board of Regents had no authority over these common schools. This democratic enactment organized the "district system" and placed in the hands of the people the responsibility for administering the schools. It provided state support and encouraged each town to raise a fair share of the school budget. It did not provide for public elementary education by a common tax, but merely offered financial aid to the

people of those localities which wished to erect schools for the education of their children. In short, the State merely offered attractive inducements to the people to make their own provisions for education.<sup>1</sup>

Free schools for the people soon became the emblem of civil liberty and popular government. These common schools were under the general direction of the Legislature for some years before a state superintendent was appointed by the Council of Appointment.

That the thoughts of the patriots of New York were on things higher than the hardships of the military camp is shown by the fact that in 1779 "a great number of respectable inhabitants" of Albany, Tryon and Charlotte counties petitioned the Governor and Legislature to grant a charter for "Clinton College" in honor of New York's first Governor. The petitioners pointed out the need "for men of learning" to fill the offices in church and state, and suggested Schenectady as a suitable seat "for a seminary of learning." A charter was drawn up, it seems, but never signed and sealed. Another petition of the same year for the same purpose was signed by 543 persons in Albany and Tryon counties, and 132 persons in Charlotte county. In 1782 still another petition with about 1200 subscribers was presented to the Legislature.

Although nothing came immediately of these efforts, they are tremendously significant. In the midst of the carnage and horrors of a civil war, when finances were in a state of chaos and the people were pinched by hardship and poverty, the vision of a free state based on intelligent leadership loomed large in the minds of the patriots. The citizens of Schenectady alone offered to subscribe \$20,000 for the new college.

The first result of this early agitation came in 1785 when a private academy under twelve trustees was organized at Schenectady. In 1792 there were eighty students in the English language and twenty more preparing for college. Out of this academy Union College emerged which was chartered by the Regents in 1795 and was the first strictly nonsectarian college in the Nation. In this same year an application for a college at Albany was denied.

Early in 1779 an application was made to the Legislature to permit the trustees of the freeholders of Kingston to erect a college or university in that town. The petition was presented but no action followed.

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<sup>1</sup>The act of 1795 for the encouragement of schools and sources from Westchester county showing how the measure operated were printed by the Division of Archives and History, The University of the State of New York, Albany, 1919.

In 1798 the reports of sixteen counties showed 1352 elementary schools with 59,660 pupils. This was one of the most important results of the Revolution.

Meanwhile a revolutionary step was taken in higher education when in 1784 King's College was rechartered as Columbia College. The petition calling for the reorganization stated that the old charter was inconsistent with the "civil and religious freedom" of the Constitution of 1777. The intent seemed to be to remodel the college so that it would serve the great purpose of the Revolution. The University of the State of New York was created to supervise all higher education; and the Board of Regents was organized as a governing body of the University. King's College lost its president in 1775 when Dr Myles Cooper was forced to flee because of his loyalism. Rev. Benjamin Moore was chosen temporary president on May 16, 1776, but meanwhile the college building was used for troops by the Committee of Safety. The students were for the most part dispersed and did not assemble again till 1784. The college records show that a few students were matriculated in 1777 and that the governors met occasionally. President Moore and some of the teachers may have carried on some educational work in their homes. The British pillaged the college library and used the college building for a hospital. In 1786 a committee of the University recommended the organization of "academies for the instruction of youth," and such institutions were located at Goshen, Flatbush and East Hampton. The next year the law authorized the Board of Regents to incorporate academies. By 1795 sixteen academies in various parts of the State had been so incorporated.

Thus another important result of the Revolution was the reorganization of institutions for higher education, and the unification of the whole system of higher education in the University of the State. The "Regents System" took its place as "the earliest and strongest of the state systems" in the Nation.

When by the acts of 1782, 1784 and 1786 the State set aside "gospel and schools" lots in the public land, other lots were set aside "for promoting literature" as the Legislature might direct. In 1786 ten townships in Franklin, Clinton and Essex counties were granted for educational purposes. In 1796 in Onondaga county twenty-seven lots were set aside for the promotion of literature, and others were reserved later. Lotteries were authorized to aid the literature fund and the arrears of quit-rents were turned over to it. This fund was used as endowment to support education in the State.

In 1790 a law gave to the University of the State large tracts of public land at the head and foot of Lake George and around Crown Point and Governor's Island in New York Harbor as an endowment for Columbia College and the academies. In 1802 Union College was permitted to share in these lands. The income was to be used to "promote science and literature" as the surest basis for the liberty, property and happiness of "an enlightened people." The same act authorized the payment of \$2500 out of the State treasury to the Regents of the University to finance the work of higher education. In 1791 the Legislature authorized the school trustee of the town of Clermont in Columbia county to use the funds in the hands of the overseers of the poor to build a schoolhouse for an elementary school—the first one to be erected in the State out of public funds. In 1792 the State appropriated for Columbia College \$8500 for enlarging the library, for a chemical laboratory, and for new buildings and repairs to the old one, and agreed to appropriate the sum of \$3750 annually for a term of 5 years for the same purposes. To add needed professors the further sum of \$1975 was to be paid yearly for 5 years. In 1791 the Regents of the University were authorized by law to establish a college of physicians and surgeons providing the property of the college would never exceed \$150,000. Early in 1795 the Legislature authorized the State Treasurer to pay to the trustees of Union College in Schenectady the sum of \$3750 as a gift of the people of the State for books and scientific apparatus. It was at an early date, therefore, that the State began the practice of granting public state funds for the encouragement of higher education.

From what has been said it will be seen that between 1775 and 1789 there occurred as much of a revolution in education as had taken place in government and society. The new educational system which emerged, based on English, French and American experience, was largely free from the domination of old traditions and consciously attempted to meet the problems of a new order in America. In his first annual message President Washington said in New York City that "knowledge is in every country the surest basis of public happiness, and in our own most essential to the common prosperity." The fathers of the State were acting under that conviction.

In conclusion one may say that the American Revolution was not directed against colonial laws and institutions, but against overseas pretensions to direct colonial life and business. It is not surprising, therefore, to find colonial government, society, industry, religion and education largely persisting through the war and becoming the basis for the free State which resulted. When all the factors are taken into

account the American Revolution was on the whole not an extremely radical movement. Except for the sundering of political ties with the British Empire, old usages were not torn up by the roots. Under the high-sounding phrases of the day the old civilization with its blessings and its evils was carried over into the new era to be changed as exigencies demanded in the years ahead. The right of majorities was substituted for the rights of man. A new State had been born which Washington in 1784 might well call "the Seat of the Empire."



## CHRONOLOGY OF NEW YORK IN THE REVOLUTION

1765

January 6 The name "Sons of Liberty" first used by Colonel Barrè in British Parliament in opposition to Stamp Act.

March 22 Stamp Act received royal assent.

April 11 News of Stamp Act reached America.

June 10 New York Gazette suspended on account of opposition to the Stamp Act.

August 30 James McEvers resigned as distributor of stamps.

August 31 General Gage wrote Colden that the public papers were "crammed with treason" and that the people were "encouraged to revolt."

September 6 Fort George put in a state of defense.

October 7 Stamp Act Congress met in New York City.

October 22 Ship "Edward" brought first stamps to metropolis.

October 31 People in mourning over Stamp Act. People cried "Liberty" and broke lamps and windows. Sons of Liberty chose a committee of correspondence. Merchants agreed to boycott British goods.

November 1 Stamp Act became operative. New York in a state of rebellion. No effort to enforce Stamp Act.

December 11 Assembly protested to king and parliament against "internal taxes and duties."

1766

January 7 Sons of Liberty resolved to "go to the last extremity" in resisting the Stamp Act.

March 18 King assented to repeal of Stamp Act.

April 26 Bells rung in New York City to celebrate repeal of Stamp Act.

May 20 A second celebration on receipt of more positive news of the rescinding of the Stamp Act.

May 21 First Liberty Pole erected in New York City and banquet held in honor of defeat of Stamp Act.

June 30 Assembly resolved to erect a statue to George III and to Pitt.

August 11 First blood of Revolution shed in conflict between Sons of Liberty and English soldiers.

December 15 Assembly, refusing to vote supplies for troops, was prorogued.

### 1767

June 29 King assented to Townshend Act placing a duty on glass, lead, paints, paper and tea.

July 2 King signed bill restraining Assembly from passing any act until his troops were supplied.

October 5 Governor Moore reported that Assembly had voted supplies for soldiers.

December 18 Governor Moore proclaimed Sons of Liberty guilty of sedition.

### 1768

January 31 Baron de Kalb arrived in New York City.

February 6 Legislature appropriated £1000 for statue to George III and £500 for one to Pitt.

August 27 Nonimportation agreement of merchants.

September 5 Tradesmen and mechanics agreed not to purchase imported goods.

November 8 Assembly protested against new taxes.

November 14 Popular demonstration in New York City.

December 31 Assembly asserted its constitutional rights in a series of resolutions.

### 1769

January 2 Governor Moore dissolved Assembly because of its resolves "repugnant to Great Britain."

February 18 "The Friends of Liberty" celebrated the repeal of the Stamp Act.

March 13 Committee appointed to "inspect all European importations."

April 6 Colonel Morris given permission to introduce a bill in the Assembly to exempt all Protestants from taxes for the Established Church in southern New York.

April 10 Assembly thanked merchants for observing the nonimportation agreement. Cordwainers and Sons of Liberty agreed not to eat lamb in order to encourage wool growing.

May 13 Committee of merchants appealed to "the ladies in particular" not to buy imported articles.

June 19 Alexander Robertson was forced to apologize for bringing boycotted goods into New York for sale.

- July 7 Sons of Liberty of New York City published their constitution.  
July 13 Violators of nonimportation agreement advertised in press.  
July 22 Simeon Cooley "publicly acknowledged his crimes" and implored pardon in the Fields for violating the nonimportation agreement.  
September 19 Thomas Richardson at a scaffold near the Liberty Pole begged public pardon for selling forbidden goods.  
November 30 Assembly voted to exempt all Protestants from paying taxes to support churches to which they did not belong. Not passed by Council.  
December 18 Public meeting in Fields protested against voting public money for British troops.  
December 20 Governor Colden offered £100 reward for name of author of seditious broadsides.  
December 22 Assembly voted for elections by ballot.

## 1770

- January 5 Colden signed bills granting £2000 for support of the troops.  
January 13 British soldiers attempted to cut down the Liberty Pole and attacked Montagne's house.  
January 17 Liberty Pole cut down by soldiers. Three thousand citizens met to discuss the Billeting Act and to boycott the soldiers.  
January 19 "Battle of Golden Hill" in which soldiers and civilians were wounded—called the "first battle of the Revolution."  
January 22 Mayor Hicks ordered soldiers to stay in barracks unless accompanied by officers.  
February 2 Common council of New York City voted for public sessions.  
February 6 Sons of Liberty erected their fifth Liberty Pole.  
February 7 Alexander McDougall put in jail for printing seditious handbills.  
February 14 "Forty-five gentlemen . . . real enemies of internal taxation" dined with Captain McDougall.  
March 14 McDougall pardoned and released from jail.  
March 19 Anniversary of the repeal of Stamp Act celebrated.  
March 19 News of Boston Massacre printed in New York.  
March 24 Soldiers tried to destroy Liberty Pole but failed.  
May 17 Subscribers of nonimportation agreement called to meet.  
May 30 Public meeting in city hall resolved to uphold nonimportation agreement although other colonies were violating it.

- June 11 Division of opinion over nonimportation.  
July 5 Proposed to limit nonimportation to tea.  
July 7 A "great majority" voted to resume importation from Great Britain, except tea, until other colonies ratified. Orders sent to England for goods.  
July 25 Sons of Liberty asked counties to oppose breaking the non-importation compact.  
August 16 Equestrian statue of George III erected in Bowling Green.  
September 7 Statue of Pitt erected in Wall street.  
December 13 McDougall called before Assembly and sent to jail for issuing an objectionable broadside.  
December 17 Edmund Burke appointed agent of New York.

## 1771

- March 18 Anniversary of repeal of Stamp Act celebrated.  
July 9 Governor Tryon assumed government of province.

## 1772

- January 1 Complaint about overtaxation of New York City.  
January 16 Assembly voted that future members must be actual residents of the districts in which they were elected.  
March 18 Anniversary of repeal of Stamp Act celebrated in New York City and on Long Island.  
March 24 New Militia Act.  
April 25 Postal service extended to Quebec.  
June 4 King's birthday observed with "great solemnity."  
June 24 Stage coach started from New York to Boston.

## 1773

- April 22 Rivington's New York Gazette began but soon aroused criticism for its Tory tendencies.  
June 4 King's birthday celebrated with much pomp.  
July 7 Franklin suggested a general Congress.  
October 15 Public meeting at the Coffee House thanked captains of London ships for refusing to carry tea to New York.  
October 25 News reached New York that tea would be sent to colonies.  
November 3 Governor Tryon regretted to report "the ferment in the minds of many" over the report about tea.  
November 4 Effigy of one Kelly displayed for encouraging shipment of tea to America.

- November 27 Committee appointed to ascertain what would be done with tea. "The Mohawks" threatened any merchants who received the tea with "an unwelcome visit."
- November 29 Sons of Liberty took lead in opposing taxes by means of tea.
- December 1 Council decided to store tea in fort and barracks, but "Liberty Boys" determined not to permit its landing.
- December 4 Tea agents refused to receive it.
- December 15 Governor Tryon decided not to use force.
- December 16 Boston Tea Party — known in New York on December 23d.
- December 17 Meeting in city hall appointed a committee of correspondence of fifteen members and voted that tea should not be landed.

## 1774

- January 3 Governor Tryon wrote that tea could be safely landed at New York only under the "point of the bayonet and muzzle of the cannon."
- January 20 Assembly named a committee of correspondence.
- March 5 John Hancock proposed a general congress.
- March 17 Tea ships expected daily.
- March 18 Repeal of Stamp Act again celebrated by a large company.
- March 24 Committee of correspondence promised cooperation with Boston in effectual measures and in appointing post riders.
- March 31 King approved the Boston Port Bill.
- April 7 Lieutenant Governor Colden resumed government of New York.
- April 19 Broadside announced arrival of tea ships.
- April 22 Mohawks dump tea in harbor — this was New York's Tea Party.
- April 23 Another tea ship returned to England.
- May 12 Copy of Boston Port Bill arrived at New York.
- May 15 Committee of correspondence first public body to suggest a Continental Congress. Letter of Sears and McDougall.
- May 16 A new committee of correspondence of fifty-one members appointed in a meeting at the exchange. Isaac Low named chairman. People approved committee 3 days later.
- May 17 Paul Revere reached New York City en route to southern colonies.
- May 17 Last public commencement of King's College in Trinity Church.
- May 17 Town of Providence, R. I., urged a general congress.

- May 18 "Surely Great Britain can never mean to drive us to . . . an eternal separation" wrote John Thurman jr.
- May 19 Gouverneur Morris feared "the dominion of a riotous mob" and asked "all men to seek for reunion with the parent state."
- May 23 Committee of 51 sent letter to Boston by Paul Revere and asked for a "congress of the colonies."
- May 30 Boston replied that "a general congress" was "indispensible."
- May 30 New York committee asked counties to appoint committees of correspondence.
- June 1 Boston Port Bill became effective.
- June 11 Governor Tryon's famous report on province made.
- June 15 Mob carried effigies of Lord North and others through streets and burned them before Coffee House.
- June 23 Holt discarded the king's arms as headpiece of his paper and substituted a snake cut in pieces with the motto "Unite or Die."
- June 24 Committee of correspondence of Assembly approved of "a general congress" but had no authority to act.
- June 27 Committee of 51 discussed "the most eligible mode of appointing deputies" to the general congress.
- June 29 Committee of 51 voted to nominate five deputies to Congress to be approved by the committee of mechanics and by freeholders and freemen. Controversy over deputies for several days.
- July 4 Public gathering in the Fields denounced Boston Port Bill; urged nonimportation until the bill was repealed; instructed delegates to Congress to favor nonimportation agreement; and ordered a subscription for the Boston poor.
- July 11 Sir William Johnson died at Johnstown.
- July 28 Philip Livingston, Isaac Low, John Jay, John Alsop and James Duane were "unanimously elected delegates to Congress" from New York City.
- August 20 Massachusetts delegates to Congress welcomed to New York City.
- September 1 New York deputies set out for Philadelphia cheered by the people.
- September 5 First Continental Congress met at Philadelphia. John Jay and James Duane put on committee to prepare a declaration of rights and grievances. Congress drew up an association prohibiting imports from Great Britain after December 1, 1774.
- September 7 Merchants resolved to prevent "engrossers" and profiteers from enhancing prices and threatened to boycott any such person.

- September 8 William Smith wrote in his diary that the first bloodshed "would light up a civil war."
- September 14 John Thurman said every American could handle a rifle.
- October 20 Eight New York delegates at Philadelphia sign the association.
- November 14 Distillers resolved to use no molasses or syrups from British West India Islands.
- November 15 Committee of 60 proposed to enforce the association.
- November 22 Committee of 60 elected to succeed Committee of 51.
- December 27 "The Mohawks" warned Andrew Elliot, collector of the port, not to send out of the province firearms recently imported.

## 1775

- January 20 Lord Chatham proposed to recall British troops from Boston.
- January 26 By a vote of 11 to 10 the Assembly refused to consider the proceedings of the Continental Congress.
- January 30 Committee of 60 named a subcommittee to examine all vessels.
- February 9 A Tory defined as "a thing whose head is in England, and its body in America, and its neck ought to be stretched."
- February 17 By vote of 15 to 9 Assembly refused to thank the eight New York delegates to Continental Congress.
- February 21 By vote of 15 to 10 Assembly refused to thank merchants and people of New York City for their nonimportation activities.
- February 23 Motion in Assembly to appoint delegates to a new General Congress lost by 17 to 9.
- February 27 Committee of 60 suggested the election of deputies to the Second Continental Congress.
- February 27 People urged neither to purchase nor to use tea or other goods from England.
- March 6 A public meeting at the Liberty Pole asked the Committee of 60 to nominate 11 deputies to meet others from the counties to choose delegates to the next Continental Congress. Two Tories were harshly treated.
- March 15 Delegates elected to Provincial Congress from New York City.
- March 22 Burke declared that the Americans through their heredity, education, manners, religious principles, forms of government and distance from Great Britain had been so imbued with liberty that they would under no circumstances yield to force.

March 25 The Assembly in an address to the king said that Americans were matured and felt entitled to their rights; that no taxes should be imposed on them without their consent; that the acts of parliament were destructive of their rights; that duties on British imports were oppressive; that the prohibition of paper money injured commerce; and that the Boston Port Bill was "a dangerous precedent."

April 1 Last Militia Act passed by Assembly.

April 3 Colonial Assembly held its last session.

April 13 Rivington hung in effigy as a Tory.

April 19 Lexington skirmish.

April 20 Provincial Convention chose twelve delegates to the Continental Congress — Duane, Alsop, Jay, Simon Boerum, Philip Livingston, Floyd, Wisner, Schuyler, George Clinton, Lewis Morris, Francis Lewis and Robert R. Livingston.

April 23 News of Lexington reached New York and led people to break open the arsenal and seize 600 muskets and to organize a voluntary corps to rule the city. The customhouse and all public stores were taken over. The whole city was "one continued scene of riot, tumult and confusion."

April 26 Committee of 60 asked that the people choose a new Committee of 100 and that a Provincial Congress be summoned at once to meet May 22d.

April 29 A general association written and signed.

May 1 A "military association" of 100 persons offered services to preserve "American liberty." Committee of 100 recommended every man to perfect himself in military discipline and to procure weapons.

May 5 Committee of 100 wrote London about "American wrongs."

May 6 John Hancock in New York.

May 8 Seven New York delegates left for Philadelphia.

May 9 All persons ordered to report arms to Committee of 100.

May 10 Fort Ticonderoga surprised and fortress with 38 prisoners and 120 cannon taken by Ethan Allen and Benedict Arnold with eighty men.

May 10 Second Continental Congress met in Philadelphia. In New York City Dr Myles Cooper fled from a mob, which then attacked Rivington.

May 12 Crown Point and military stores captured by Seth Warner.

May 15 Burke brought case of New York before Commons.

May 16 War companies of militia took over night watch of metropolis.



- May 16 Benedict Arnold seized St Johns.
- May 22 First Provincial Congress met in New York City.
- May 25 Continental Congress ordered province of New York fortified and that militia be trained.
- May 29 Committee of 100 asked people to save tent cloth for public service. Provincial Congress reported lack of powder and arms.
- May 31 Provincial Congress called on colonists to arm.
- June 3 Provincial Congress asked that British troops be permitted to embark unmolested.
- June 4 Only one house in New York City illuminated on king's birthday.
- June 6 Colonel Marinus Willett defeated plan to take arms from New York City.
- June 7 Provincial Congress denounced illegal riots.
- June 9 Provincial Congress offered bounty on home-made powder.
- June 13 Importation of powder permitted.
- June 14 Tory arrested for recruiting for king's army.
- June 15 Washington chosen head of American forces.
- June 15 Inoculation for smallpox forbidden.
- June 19 Philip Schuyler elected major general by Continental Congress.
- June 22 Richard Montgomery made brigadier general by Congress.
- June 20 News of Bunker Hill reached New York.
- June 25 Washington and Governor Tryon given separate official receptions in New York City.
- June 25 General Schuyler placed in command of "New York department."
- June 26 Provincial Congress presented address to Washington.
- June 27 Provincial Congress issued orders for raising troops.
- July 4 Provincial Congress authorized Ethan Allen and Seth Warner to recruit 500 "Green Mountain Boys."
- July 5 Provincial Congress forbade common council of New York City to send address to Governor Tryon.
- July 6 Broadside setting forth "the causes and necessity for taking up arms" printed in New York.
- July 12 New York reported that 3000 Continental troops had been raised, but that there was no powder for them.
- July 20 Ethan Allen promised to do his best to reconcile differences between the New Hampshire Grants and New York.
- July 21 Franklin proposed an American confederation.
- July 26 Ebenezer Hazard chosen postmaster of New York City.
- July 27 Provincial Congress appointed a military committee of five.

- August 4 Alexander McDougall approved of as colonel of first regiment; Myndert Roseboom of second; James Clinton of third; and James Holmes of fourth. Three surgeons also named.
- August 5 Pay of New York soldiers fixed.
- August 8 Provincial Congress ordered local committees to buy all arms available.
- August 9 Provincial Congress ordered all political subdivisions to be divided into "beats" of one militia company each.
- August 14 Provisions made for recruiting minutemen.
- August 19 Export of all livestock and poultry forbidden.
- August 21 Continental army under General Montgomery arrived at Fort Ticonderoga.
- August 22 Militia bill passed.
- August 23 Skirmish between British warship and militia removing ordnance from Battery. People left the city.
- August 29 Attack on New York City by British man-of-war.
- September 2 Augustus Van Cortlandt asked to protect records.
- September 2 General Schuyler from Ticonderoga moved toward Canada but, owing to illness, yielded command to General Montgomery.
- September 7 Quakers required to give list of males between 16 and 60.
- October 3 A naval committee appointed.
- October 6 Continental Congress ordered all dangerous Loyalists arrested.
- October 10 Since for the "sake of liberty" officers should be elected for short terms, the Provincial Congress voted to dissolve November 14th.
- October 17 Plans formulated to preserve sulphur and to encourage linen making.
- October 25 Committee named to protect women and children in New York City.
- October 31 Committee appointed to employ the poor.
- November 10 New York society for employing the industrious poor organized.
- November 13 Montreal captured by Montgomery.
- November 15 New York City reported stagnated and half deserted for fear of bombardment.
- November 23 Band of seventy-five "banditti" from Connecticut destroyed Rivington's printing press.
- December 6 Governor Tryon put public records on warship.
- December 15 Committee of 100 adopted rules for the night watch.
- December 31 General Montgomery killed before Quebec.

## 1776

- January 1 Governor Tryon retired to a warship in New York harbor.
- January 9 Thomas Paine published *Common Sense*.
- January 9 Continental Congress asked New York to defend entrances to harbor.
- January 17 Essays on manufacture of saltpeter and powder distributed.
- January 20 General Schuyler forced Sir John Johnson to disarm and give his parole.
- February 1 Philip Livingston, John Alsop, John Jay and Alexander McDougall elected to represent New York City in "the next general Assembly."
- February 1 Factory established to employ poor in spinning flax and weaving linen.
- February 2 Committee of 100 asked that Committee of 50 be chosen.
- February 4 General Lee with 300 men and Sir Henry Clinton reached New York City and caused "greatest confusion."
- February 7 Lord Stirling arrived with 1000 men from the Jerseys.
- February 8 Neighboring counties asked to care for the refugees from the metropolis.
- February 11 Royal military stores taken from Fort George without opposition.
- March 14 Continental Congress ordered 8000 men to defend New York City.
- March 21 Washington sent six regiments from Boston to New York City.
- March 24 Lead from windows used for bullets.
- March 30 Call for makers of muskets issued.
- April 1 Reported that 8000 men were under arms in New York.
- April 4 Committee of 50 asked to prepare barracks for 12,000 men.
- April 12 New York reported "deserted by its old inhabitants, and filled with soldiers."
- April 13 Washington arrived from Boston with main part of his army.
- April 16 A "poll" opened in New York City to elect twenty-one members to Provincial Congress.
- April 17 Mrs Washington arrived in New York City from Boston.
- April 17 Communication with British warships cut off.
- April 29 Washington reported that New York City was well fortified.
- May 15 Continental Congress recommended to colonies to adopt such governments as would meet their needs and welfare.
- May 17 Day of fasting and prayer.

- May 18 Captain Paul Jones arrived in New York City from his first cruise.
- May 21 Washington left New York City for Philadelphia.
- May 24 Minutes of common council of New York City ended.
- May 27 New York virtually declared independence.
- May 29 General committee of mechanics demanded independence.
- May 31 Provincial Congress called election of a new Congress to consider the necessity of a new government.
- June 4 King's College used for a hospital.
- June 4 Washington returned to New York City from Philadelphia.
- June 7 New York City committee called for election of Harlem, Kingsbridge, White Plains, Peekskill, Highlands, Fort Lee and Long Island delegates to a Provincial Congress to decide on independence.
- June 11 Tories in New York City stripped, ridden on rails and put in jail.
- June 11 Provincial Congress told delegates in Continental Congress that they were not authorized to vote on the question of independence.
- June 14 Mechanics union insisted that the people should be permitted to determine the question of a new government.
- June 14 Continental Congress ordered New York to detect and restrain all internal enemies.
- June 15 Provincial Congress appointed a "committee to detect conspiracies."
- June 18 Americans evacuated Canada to enemy.
- June 21 "Hickey plot" against lives of Washington, Putnam and others discovered and crushed. One of Washington's body guard hanged.
- June 22 Arrest of Tory, Major David Mathews.
- June 25 General Howe arrived at Sandy Hook with his forces.
- June 30 Provincial Congress adjourned to White Plains.
- July 2 Delegates of all colonies except New York voted for independence. New York delegates asked for instructions.
- July 2 Military headquarters at New York City favored independence.
- July 2 General Howe landed troops at Staten Island.
- July 4 Declaration of Independence adopted by Continental Congress.
- July 7 Northern army fell back from Crown Point to Ticonderoga.
- July 9 Provincial Congress ratified Declaration of Independence.
- July 9 Declaration of Independence proclaimed to troops in New York City by order of Washington.

- July 10 Voted, "That the style or title of this House be changed from that of 'the Provincial Congress of the Colony of New York' to that of 'the Convention of the Representatives of the State of New York.'"
- July 11 Declaration of Independence read in White Plains.
- July 12 Lord Howe landed 9000 British soldiers on Staten Island.
- July 18 Declaration of Independence read in New York City by order of committee.
- July 19 Declaration of Independence read in Albany by order of committee.
- August 1 Sir Henry Clinton arrived at New York from Charleston, S. C.
- August 20 General Sullivan succeeded General Greene in command of Americans on Long Island.
- August 22 General Howe landed 15,000 men and forty guns at Gravesend, L. I.
- August 22-23 Flatbush, L. I., skirmish.
- August 26 Valley Grove, L. I., skirmish.
- August 27 Battle of Long Island (Bushwick or Brooklyn). Generals Sullivan and Stirling taken prisoners and Americans defeated.
- August 28 Jamaica (Brookland), L. I., skirmish.
- August 30 Washington withdrew Americans from Long Island to New York City.
- August 30 General Nathaniel Woodhull wounded and taken prisoner. He died a few days afterward.
- September 11 Peace conference held on Staten Island between Lord Howe and committee of Congress.
- September 15 New York City occupied by British.
- September 16 Battle of Harlem Heights; British repulsed.
- September 21 Trinity church and 492 buildings destroyed by fire.
- September 22 Nathan Hale executed as a spy.
- September 24 Montrossor's Island, skirmish.
- October 11 Naval battle of Valcour Island in Lake Champlain.
- October 12 Harlem Heights (Throg's Neck), skirmish.
- October 13 Naval engagement on Lake Champlain. Arnold defeated with loss of ninety men.
- October 14 Crown Point, attacked.
- October 18 British land at Pell's Point.
- October 21 Mamaroneck, skirmish.
- October 23 Manhattan Island abandoned by Americans.
- October 28 Battle of White Plains. Americans driven back.
- November 12 Washington crossed the Hudson to New Jersey.

- November 16 Fort Washington captured by British; 2000 prisoners.
- November 16 Fort Tryon, captured by British.
- November 16 Fort George, captured by British.
- November 16 Harlem Cove (Manhattanville), skirmish.
- November 16 Cock-Hill Fort, captured by British.
- November 16 Washington left New York for New Jersey.
- November 18 General Cornwallis crossed Hudson to New Jersey with 6000 men.
- November 30 Howe issued a proclamation of pardon at New York.

## 1777

- January 17 Kings Bridge, skirmish.
- January 25 West Farms, skirmish.
- March 16 Ward's house (Westchester county), skirmish.
- March 20 General Charles Lee wrote his "plan" for destroying "Congress government."
- March 22 British landed at Peekskill to destroy military stores.
- April 20 First State Constitution was voted by the Convention.
- April 20 First State Constitution proclaimed at Kingston.
- May 3 A "temporary form of government" created.
- May 6 General Burgoyne landed at Quebec to command British forces in Canada.
- May 23 Colonel Meigs captured ninety prisoners, a gunship, and military stores at Sag Harbor, L. I.
- June 1 Burgoyne invaded northern New York.
- June 16 Crown Point evacuated.
- June 30 British returned to Staten Island from New Jersey.
- July 1 First session of the State Legislature at Kingston called to meet but delayed election returns made that impossible.
- July 3 John Jay appointed Chief Justice and Robert R. Livingston Chancellor.
- July 6 Ticonderoga evacuated by General St Clair and 3000 men.
- July 7 Skenesborough seized.
- July 8 Battle of Fort Ann. Americans under Livingston driven out, losing 128 cannon and stores.
- July 9 George Clinton declared elected first State Governor.
- July 12 General St Clair arrived at Fort Edward.
- July 27 Jane McCrea murdered.
- July 30 Burgoyne reached Fort Edward.
- July 30 Governor Clinton took oath of office.
- August 4-22 Fort Stanwix (Fort Schuyler). Barry St Leger attacked fort under Colonels Gansevoort and Willett.

- August 6 Battle of Oriskany. General Herkimer checked and mortally wounded in an ambushade of Tories and Indians.
- August 12 General Benedict Arnold marched to relief of Fort Stanwix.
- August 16 Battle of Bennington. Colonel Baum defeated by General John Stark at Walloomsac.
- August 19 General Schuyler superseded by General Gates.
- August 21-22 Staten Island raided by General Sullivan and Colonel Ogden taking stores and 130 prisoners.
- August 23 Sir William Howe issued a proclamation of pardon.
- September 10 State Legislature met at Kingston.
- September 18 Colonel Brown attacked British at Ticonderoga and on Lake George.
- September 19 First battle of Saratoga.
- September 20 Burgoyne fortified his camp.
- September 23 Battle of Diamond Island.
- October 3 General Clinton ascended Hudson to cooperate with Burgoyne.
- October 3 Five delegates chosen to Continental Congress.
- October 6 Forts Clinton and Montgomery captured by Sir Henry Clinton.
- October 7 Second battle of Saratoga; British defeated.
- October 13 Esopus attacked.
- October 13 Kingston burned.
- October 17 Saratoga; surrender of General Burgoyne.

## 1778

- February 5 Commissioners for detecting and defeating conspiracies.
- February 6 New York approved Articles of Confederation.
- March 14 Embargo on flour, meal and grain.
- March 27 Act to regulate elections.
- April 1 Act to appoint a State Treasurer.
- April 3 Wages and prices regulated by law.
- May 24 Sir Henry Clinton took command of British army in America.
- June 1 Cobleskill massacre by Brant.
- July 15 Washington at Haverstraw, White Plains, Fishkill, Frederickburg.
- July 18 Andruston massacre.
- July 21-31 Washington with army at White Plains.
- August 31 Indian Field (Westchester county). Indians engaged with patriot forces.

- September 16 Westchester, skirmish.
- September 28 Tappan, skirmish.
- November 10 Cherry Valley massacre by Tories and Indians.
- December 3 Washington left New York for New Jersey.
- December 10 John Jay elected president of Continental Congress.
- December 25 Young's house, skirmish.

## 1779

- March 13 1000 men raised for frontier defence.
- April 20 Expedition against Onondagas.
- June 1 Stony Point, Verplanck's Point (Fayette).
- June 8 Washington at West Point, New Windsor, Stony Point, Peekskill.
- July 2 Poundridge, skirmish.
- July 2 Bedford, skirmish.
- July 16 Stony Point captured by General Wayne.
- July 19 West Point fortified by Americans.
- July 22 Minisink attacked by Indians under Brant.
- July 31 General Sullivan started his invasion of Indian country.
- August 5 Morrisania, skirmish.
- August 22 Military expedition against Indians by Colonel Brodhead.
- August 29 Newtown (Elmira); Tories and Indians defeated.
- August 30 Tarrytown, skirmish.
- September 5 Lloyd's Neck, skirmish.
- September 10 Indian village of Canandaigua burnt.
- September 14 Geneseo, farthest point reached by Sullivan's expedition.
- September 15 General Sullivan began his return from Indian country.
- September 23 State clothier appointed by law.
- September 28 John Jay chosen as commissioner to Spain.
- October 15 Act to prevent robberies in the State.
- October 22 Law of forfeiture of estates of Loyalists.
- October 22 Commissary of prisoners appointed.
- October 23 Temporary government of southern New York created.
- October 23 Commissioners named to pacify Indians.
- November 1 Washington left New York for New Jersey.
- November 7 Jefferds Neck, skirmish.
- November 21 3000 British troops departed from New York for Georgia.
- December 26 General Clinton with 8500 men sailed for Savannah.



## 1780

- January 18 Eastchester, skirmish.  
February 3 Young's house (Four Corners), skirmish.  
February 14 Courts of common pleas revived.  
February 19 New York ceded her right to western lands to United States. Transfer made March 1st.  
February 21 Act to regulate inns and taverns.  
February 26 Act to prevent profiteering.  
March 10 Sale of forfeited estates authorized.  
March 13 An act to repair public highways.  
April 3 Riemensnyder's Bush destroyed by Indians.  
April 5 Harpersfield sacked.  
May 22 Caughnawaga attacked.  
May 22 Johnstown burned by Tories.  
June 23 Act to erect a fortress at Schenectady.  
June 23 Act to pay for care of poor in five counties.  
June 24 Act to prevent monopoly in cattle.  
June 27 Washington at Ramapo.  
June 30 Act to grant exclusive right to make and sell "blubber and oyl."  
July 1 Removal of families of Loyalists.  
July 30 Washington in Highlands, Peekskill.  
August 2 Mohawk valley (Fort Plain) ravaged by Indians and Tories.  
August 3 General Benedict Arnold took command of fortress at West Point.  
September 18 Washington at Peekskill, Fishkill, Highlands, Tappan.  
September 21 Major André met General Arnold.  
September 23 Major André captured at Tarrytown.  
September 26 General Arnold fled to British sloop of war.  
September — Ann Lee organized Shakers at New Lebanon.  
October 2 Major André after trial by court martial hanged as spy at Tappan.  
October — Americans raided Staten Island.  
October 7 Act to expedite the payment of taxes.  
October 11 Fort George taken.  
October 15 Middleburg, Indian raid.  
October 17 Schoharie, Indian raid.  
October 19 Fort Keyser (Palatine or Stone Arabia) attacked.  
October 21 Battle of Klock's field.

- October 29 German Flats, Indian raid.  
November 21 Coram (Fort George), L. I., attacked.  
November 23 Fort St George (Smith Point), L. I., attacked.  
December — Indians made attacks in Hudson valley and in Champlain country.  
December 6 Washington at New Windsor, West Point, Dobbs Ferry, Kingsbridge.

## 1781

- January 22 Morrisania, skirmish.  
March 26 Act to restrain peddlars and hawkers.  
March 30 Punishment for adherence to the king.  
March 31 Sale of forfeited estates facilitated.  
May 14 Croton River, skirmish.  
June 27 Embargo laws repealed.  
July 1 Repeal of laws making paper money legal tender.  
July 3 Kingsbridge, skirmish.  
July 6 French army joined Washington on Hudson.  
July 9 Currytown destroyed.  
July 10 Battle of Sharon Springs.  
July 15 Tarrytown, skirmish.  
August 14 Washington decided to transfer army from New York to Virginia.  
August 22 Warwarsing, skirmish.  
September 7 Fort Plain, Indian raid.  
October 10 Threadwells Neck, skirmish.  
October 20 Mohawk Valley invaded by Indians.  
October 24 Battle of Johnstown. Last battle of the Revolution.  
October 30 Jerseyfield (West Canada creek). Last skirmish of Revolution in New York.  
November 1 Tax on grain levied in Ulster county.  
November 20 County treasurers required to make returns of taxes.

## 1782

- March 4 Morrisania. Captain Honeywell attacked De Lancey's Loyalists.  
March 20 Order for census of white inhabitants.  
March 31 Washington at Newburgh, West Point, Highlands, Albany, Schenectady, Saratoga.  
April 1-30 Washington's headquarters located at Newburgh.  
April 11 Incorporation of Bank of North America.  
April 13 Act to prevent illicit trading with enemy.

- April 14 Relief of tenants of forfeited lands.  
May — Sir Guy Carleton arrived to make terms of peace.  
July 12 Abolition of entails.  
July 22 Act to allow United States to apportion state's share of expense of war.  
July 24 Act to compel payment of back taxes.  
August 6—1783, August 19 Washington at Newburgh, Verplanck's Point, Dobbs Ferry, Orangetown, Poughkeepsie, Albany.

## 1783

- January 15 Lord Stirling died at Albany.  
February 14 Private lotteries forbidden.  
March 4 Act to encourage destruction of wolves and panthers.  
March 24 Offices of state agent and commissioners of prisoners abolished.  
March 25 Commissioners of Indian affairs appointed.  
March 27 Commissioner for detecting and defeating conspiracies discharged.  
March 27 Temporary government for New York City provided.  
March 30 Law of naturalization passed.  
May 13 Order of Cincinnati founded near Fishkill.  
September 3 Ann Lee, founder of Shakers in New York, died.  
September 7 Army disbanded.  
October 6 First Protestant Episcopal convention in New York.  
November 3 Thomas Coke arrived as first Methodist bishop.  
November 25 British evacuated New York City; Washington entered.  
November 26 Doctor Rodgers began to restore Presbyterian churches.  
December 4 Doctor Rodgers active on Long Island and Staten Island.  
December 4 Washington bade farewell to officers at Fraunces Tavern in New York City.  
November 18—December 16 Washington at West Point, Harlem, New York City.

## 1784

- January 14 Congress ratified the definitive treaty of peace.  
May 1 University of State of New York established by Legislature.

## 1785

- April 19 New York State executed deed of western lands to Federal Government.

## 1788

July 26 New York ratified Constitution of United States.

## 1789

March 22 Duties levied on imported goods.

April 6 Congress met in New York City as first national capital.

April 30 Washington took oath as first President of the Federal Republic.

October 22 Fort Stanwix treaty with Indians.

## SHRINES OF THE REVOLUTIONARY WAR

The sons and daughters of New York have done much to mark with monument and tablet the spots and buildings of historic significance in the War for Independence, and the burial places of the men and women of prominence in that struggle. In this worthy work the patriotic and historical societies and religious and civic bodies have taken the lead and deserve the thanks of the public for their zeal.

Much still remains to be done in saving sites and buildings, and in erecting markers before the Empire State takes rank with the commonwealths of New England and the South in the preservation of its noble past.

It is hoped that during the Sesquicentennial every community will do something to complete the work so well started. The State now encourages local efforts by financial support. The following list is incomplete and many of the places mentioned are unmarked. Our citizens should be urged to visit these spots and thus inform themselves more fully about our history.

### Albany county

#### Albany

Schuyler mansion

Colonel Marinus Willet Boulder and Tablet

General Philip Schuyler Monument

Links of old chain that spanned Hudson river during Revolution in State Education Building

Picture of Governor George Clinton in Capitol

#### Cohoes

Van Schaick mansion on Van Schaick's island, headquarters of General Schuyler during Burgoyne campaign

### Broome county

#### Endicott

Monument commemorating union of forces of General Sullivan under Clinton and Poor, August 1779

### Chautauqua county

#### Jamestown

Tablet marking station of British regiment, 1782

#### Sherman

Monument to wars of 1776, 1812 and 1861—65, erected 1913

## Chemung county

## Ashland

Granite shaft to Major General John Sullivan (near Lowman)

## Elmira

Site of Fort Reed, important fort on march of the Sullivan expedition in 1779

Newtown Battle Reservation (extends into town of Ashland)

## Millport

Memorial in honor of Major General John Sullivan. On a pinnacle near this site the Movable Lodge of Free Masons connected with the army of Major General John Sullivan of New Hampshire, held a communication under a large oak tree, while on a military expedition against the Six Nations of Indians, in the year 1779, after which event this lodge derived its name

## Chenango county

## New Berlin

Boulder in memory of the three scouts killed on the estate of Percefer Carr by Brant's Indians, September 1778 (erected by Colonel Israel Angell Chapter, D. A. R., 1914)

## Sherburne

Grave of Colonel William Smith, aide-de-camp to Generals Sullivan and Washington

## Smyrna

Monument to Colonel William Smith

## Clinton county

## Valcour island

The Battle of Valcour was fought off the shore of Valcour Island on October 11, 1776. Arnold's flagship, "The Royal Savage," was sunk and the wreck at the bottom of the lake is still visible through the clear water

## Delaware county

## Franklin

Monument in memory of Revolutionary soldiers

## Sidney

Brant-Herkimer meeting place

## Dutchess county

## Amenia

Bump house where Lafayette and other officers dined  
Old log prison of Revolutionary days

## Beacon

Shaft erected on Mount Beacon to commemorate the burning of beacon fires in Revolutionary times (Melzingah Chapter, D. A. R.)

Boulder and flag pole were placed on the Old Post Road to call attention to the redoubts erected in Revolutionary times to repel the British who were expected to march up that road (Melzingah Chapter, D. A. R.)

Tablet on the Old Star Mill, rebuilt by Washington's soldiers after being destroyed by fire. (Melzingah Chapter, D. A. R.)

## Fishkill

During the Revolution the old Dutch Reformed church, built in 1731, was used as a prison by the continental officers. It is from this prison that Harvey Birch, Cooper's "Spy," escaped. Used in 1776 by Provincial Congress

The Verplanck House, where the Society of the Cincinnati was founded

The Wharton House, headquarters of officers in the Revolution, is still to be seen a little south of the village

Trinity Church was used in 1776 for sessions of New York Provincial Convention and later as a hospital

## Poughkeepsie

Bronze tablet erected on walls of the Governor George Clinton House (Mahwenawasigh Chapter, D. A. R.)

Bronze tablet to mark the site of the Court House in which the Constitution of the United States was ratified on July 26, 1788 (Mahwenawasigh Chapter, D. A. R.)

## Essex county

## Crown Point

Crown Point Reservation — Ruins of Fort  
Old Fort St Frederick

## Ticonderoga

Fort Ticonderoga, erected by the French in 1755 and called Fort Carillon. Captured by the British in 1759 and taken from them in 1775 by Ethan Allen. The Americans evacuated the fort in 1777 and it was held by the English until Burgoyne's surrender, when it was dismantled

Tablet commemorating capture by Ethan Allen  
Old Fort Ticonderoga (Historical Museum)

Monument in memory of Isaac Rice, Scout of the Revolution.

Replica of John Hancock House (Headquarters of New York State Historical Association)

Marker on South Main st., near Battery st., is inscribed:  
"From this point south this street follows the route of the Indian Carry between the lakes, and of Montcalm's Military Road traversed by Washington and Franklin during the Revolution" (Ticonderoga Chapter, D. A. R.)

#### Fulton county

##### Johnstown

The Sir William Johnson Mansion and Blockhouse

Tomb of Sir William Johnson

Courthouse, built 1772

Blackhorse Tavern

Old Drum House

Boulder with bronze tablet with inscription to mark the site of the last battle of the Revolution (Johnstown Chapter, D. A. R.)

#### Herkimer county

##### Danube

Herkimer Homestead, including house, burying ground and monument

##### Frankfort

Marker indicating the route from General Herkimer house to Oriskany battlefield (Colonel Marinus Willett Chapter, D. A. R.)

##### Herkimer

Statue to General Herkimer

Old Stone Church, 1779

Marker on General Nicholas Herkimer route to Oriskany (General Nicholas Herkimer Chapter, D. A. R.)

##### Ilion

Granite and bronze marker at the bivouac ground of General Herkimer and his men. This is placed along the old trail from the Herkimer Homestead to Oriskany monument (Mohawk Valley Chapter, D. A. R.)



## Little Falls

Bronze tablet, placed on Fort Herkimer Church to mark the site of the old fort (Astenrogen Chapter, D. A. R.)

Monument at Shell's Bush in memory of John Christian Shell, his wife and sons, who, on August 6, 1781, defended the Block House from an Indian attack (Astenrogen Chapter, D. A. R.)

Granite boulder and bronze tablet on the General Herkimer route to Oriskany (Astenrogen Chapter, D. A. R.)

## Warren

Boulder in memory of Andruston massacre, July 18, 1778

## Jefferson county

## Fort Carlton

On Carlton or Buck's Island, near Cape Vincent, captured in 1778 by the British

## Montgomery county

## Amsterdam

Guy Park House

## Canajoharie

Van Alstyne House

Fountain in Wagner square to mark the northeastern terminal of the continental road constructed under the supervision of General Clinton to Otsego lake, June 17, 1779 (Fort Rensselaer Chapter, D. A. R.)

## Fonda

Monument on site of old historic Dutch Church of Caughnawaga, which was headquarters for Colonel Herkimer and was General Schuyler's encampment, January 18, 1777 (Caughnawaga Chapter, D. A. R.)

Site of Liberty Pole

## Fort Plain

Boulder to Revolutionary soldiers

Fort Plain (Fort Rensselaer)

## Nelliston

Old Ehle House

## Palatine

Colonel John Brown Monument.

## St Johnsville

Site of battle of Klock's Field, 1780

Marker on the General Herkimer route from his homestead to Oriskany battlefield (Caughnawaga, Henderson and St Johnsville Chapters, D. A. R.)

## New York City (Greater)

## Borough of Bronx

Tablet to commemorate battle of Pell's Point, Pelham Park Westchester Creek Causeway—"Westchester Lexington"

Redoubt thrown up by continental troops under General Heath, to command the crossing of the Bronx river at Williams-bridge (Woodlawn Cemetery)

## Borough of Kings (Brooklyn)

Tablet on Smith-Gray Building, corner of Fulton st. and Flatbush av., to mark the line of defense in the battle of Long Island "from the Wallabout to the Gowanus"

Martyrs' Monument and Tomb erected in memory of those who perished on the prison ships of the British in Wallabout Bay during the Revolution

Battle Pass Tablets (2) serve to mark Valley Grove, the outer line of defense in the battle of Long Island

Maryland Monument, erected in honor of "Maryland's Four Hundred"

## Lafayette Monument

Boulder and marker at Shore road and Fort Hamilton parkway

The Altar of Liberty on Battle Hill, erected to mark the spot where the opening engagement in the battle of Long Island was fought

Tablet showing where General Nathaniel Woodhull died

Bronze tablet on the site of old Fort Stirling at Columbia Heights and Clarke st. (Fort Greene Chapter, D. A. R.)

## Borough of Manhattan

Fraunces Tavern, Broad and Pearl streets

Statue of Nathan Hale, near City Hall (S. R.)

Morris-Jumel Mansion, 160th street

Statues of Washington

Statues of Franklin

Marinus Willett Tablet, Broad and Beaver (S. R.)

Tablet marking landing of Washington, West street

City Hall Tablet

Kennedy House Tablet, marking site where Declaration of Independence was read to Washington's army on July 9, 1776

Tablet marking battle of Harlem Heights (Knickerbocker Chapter, D. A. R.)

Tablet marking site of Fort Independence

Tablet marking action at Kip's Bay, September 15, 1776

General Montgomery Monument, St Paul's churchyard

Fort Washington Monument (Fort Washington av., near 183d st.)

Redoubt erected by American troops, October 1776, directed by Imbert, a French engineer (Fort Washington Park)

Site of headquarters of General Heath (Century Home), near bank of Harlem river at 213th st.

Jeffrey's Hook (Fort Washington Park). The place from which ships were sunk in the Hudson in an attempt to obstruct the passage of the British fleet in 1776. Here Washington crossed to and from Fort Lee

Granite boulder with bronze tablet to mark the gallant defense of Laurel Hill by Colonel William Baxter on November 16, 1776 (Manhattan Chapter, D. A. R.)

Tablet on a granite pillar in City Hall Park near the site of the old Hall of Records, which was used by the British as a prison for American patriots during the Revolution (Mary Washington Colonial Chapter, D. A. R.)

Tablet to the memory of Margaret Corbin, heroine of the battle of Fort Washington (Mary Washington Colonial Chapter, D. A. R.)

Tablet marking the site of Whitehall Ferry from which Washington embarked after bidding farewell to his officers at Fraunces Tavern (Mary Washington Colonial Chapter, D. A. R.)

Tablet placed on Sulzberger Building to honor Captain Nathan Hale. This site was where the British Commander General, Sir William Howe, had his artillery grounds; also where Nathan Hale was executed on September 22, 1776 (Mary Washington Colonial Chapter, D. A. R.)

Washington's headquarters on Washington Heights

Military hut of the Revolution in Dyckman House Park

McGown's Pass Tavern, Central Park

Tablet on Putnam Building to commemorate the meeting of Washington and Putnam at this point on September 15, 1776

Montgomery tablet in St. Paul's Chapel, oldest church in Manhattan, on lower Broadway

Tablet marking line of defense, September 1776

Tablet marking American encampment, 1776

Richmond Hill Mansion tablet

Liberty Pole tablet, New York Post Office (Mary Washington Colonial D. A. R.)

Steuben Monument, German Reform Church, 68th street

Fort George Hill, 192d street

Fort George Monument on Battery

Tablet marking first line of American intrenchments, Broadway, between 147th and 148th sts.

Tablet marking second line of American intrenchments, Broadway and 153d st.

Tablet marking third line of American intrenchments, Broadway and 159th st.

Tablet on wall of the Chapel of the Intercession, within Trinity Cemetery East, records the erection of redoubts and defenses in 1776 (Washington Heights Chapter, D. A. R.)

Site of American encampment west side of Broadway, between 168th and 169th sts. Later the Hessians occupied the same spot

Borough of Richmond (Staten Island)

Tablet on St Andrews Church to commemorate the engagement fought between the patriots and the British on the ground where this church now stands (Richmond County Chapter, D. A. R.)

Mersereau tablet

Billog House (Conciliation Conference House)

Niagara county

Fort Niagara

At the mouth of the Niagara river

Oneida county

Clinton

Monument of Alexander Hamilton

## Oriskany

Oriskany battlefield, where the Americans under General Nicholas Herkimer turned back the British, Loyalists and Indians. An important battle in the fight for the control of the Hudson river

## Oriskany monument

Marker placed on or near the spot where General Herkimer sat after he was wounded and directed the battle. This is the last of the fourteen markers erected along the route taken by General Herkimer and his Mohawk Valley men on their way to relieve Fort Stanwix. (Oriskany Chapter, D. A. R.; Sons of Oriskany assisted.)

## Remsen

Tomb of Baron Steuben

## Rome

Fort Stanwix. This fort was strongly built but was found untenable at the beginning of the Revolution. It was rebuilt and for a time called Fort Schuyler, in honor of General Philip Schuyler. The fort, under Colonel Gansevoort, was besieged at the same time that the battle of Oriskany was being fought (Fort Stanwix Chapter, D. A. R.)

Tablet at Carrying Place (Oneida Chapter, D. A. R.)

Fort Bull monument

Monument to General Peter Gansevoort

## Steuben

Monument to General Steuben

## Utica

Marker on site of Old Fort Schuyler

Marker to General Herkimer on Whiteboro st.

Marker commemorating visit of Lafayette

Granite and bronze memorials marking the General Herkimer march through the Mohawk valley to the battlefield of Oriskany. Placed near the site of the "Great Ford of the Mohawk" and on the route which General Herkimer and his army used (Oneida Chapter, D. A. R.)

## Whitesboro

Monument on General Herkimer's route to battle of Oriskany at the bivouac of the advance guard, night before the battle (Oneida Chapter, D. A. R.)

## Ontario county

## Canandaigua

Boulder monument to Sullivan's expedition, 1779

**Fort Clinton**

Captured by the British in 1777 together with Fort Montgomery, though the river was barred by the famous iron chain

**Fort Montgomery**

Captured by the British in 1777. The British crossed the river at King's Ferry in a morning fog and went over the Dunderberg mountains by a road known to British sympathizers.

**Goshen**

Monument commemorating battle of Minisink, July 20 and 22, 1779

Boulder 3 miles south of Goshen where beacon fires were lighted to notify the local militia of the approach of the British and to summon them to the appointed rendezvous (Minisink Chapter, D. A. R.)

**Highland**

Old Forge, where chain that spanned Hudson was forged

**Newburgh**

Temple Hill monument on site of continental camps, 1782-83

Home of Jonathan Hasbrouck which was for some time the headquarters of Washington. In this house, 1782, Washington refused for the "national advantage" the offer of a crown. Here in 1783 Washington received news of cessation of hostilities, and signal fires were lighted on surrounding peaks

**Tower of Victory**

Boulder marking the site of Brewster Forge at Moodna, where during the Revolution were made a considerable portion of the chains that were used to obstruct the navigation of the Hudson river at Fort Montgomery and West Point (Quassaick Chapter, D. A. R.)

**New Windsor****Knox's Headquarters**

Headquarters of Washington in 1779 and again in 1780. Here were arranged the details of the campaign of 1781 ending with Yorktown

**Warwick**

Sterling Lake. Tablet marking Sterling furnace. Anchors and steel were manufactured here during the Revolution. Part of the chain that spanned the Hudson during the Revolution was also made here.

Old Stone Tavern, erected 1766, by Francis Baird. General Washington entertained here, July 27, 1782

West Point

Kosciusko Monument and Garden

Forts Clinton and Putnam

Links of iron chain

Grave of Margaret Corbin, with marker (State Society D. A. R.)

Oswego county

Mexico

Spy Island — monument to Silas Town, an American Revolutionary spy

Oswego

Montcalm Park

Boulder with tablet to mark the site of Fort George, the second fort built at Oswego (Fort Oswego Chapter, D. A. R.)

Otsego county

Cherry Valley

Devastated by Indian Massacre on November 11, 1778

Inscription on Brant's Rock (on outskirts of village), behind which Brant was secreted when he shot Colonel Wormwood (Cherry Valley Chapter, D. A. R.)

Marker on spot where Colonel Alden fell while trying to regain the fort at the time of the Cherry Valley massacre (Cherry Valley Chapter, D. A. R.)

Cooperstown

Bronze tablet to mark the place where the dam was built during the summer of 1779 by the soldiers under General Clinton to enable them to join the forces of General Sullivan at Tioga (Otsego Chapter, D. A. R.)

East Springfield

Bronze marker commemorating General Clinton's line of march from Canajoharie to Otsego lake (General James Clinton Chapter, D. A. R.)

Oneonta

Boulder commemorating the expedition of General James Clinton whose troops had encamped upon the spot August 11, 1779, on their way down the Susquehanna to join the troops of General John Sullivan (Oneonta Chapter, D. A. R.)

Springfield

Monument to General Herkimer

## Putnam county

## Carmel

Monument to Enoch Crosby, patriot spy of the Revolution

## Cold Spring

Bronze plaque at New York Central Railroad station commemorating Washington's visit

## Constitution Island

Ruins of Fort Constitution and other fortifications

## Continental Village

Marker to Revolutionary mothers

## Pollopel's Island

Here a chevaux-de-frise, with iron pointed spikes 30 feet long, hidden under water and secured by cribs of stone, was stretched across the river during the Revolution

## Garrison

Beverly Robinson House

## Rensselaer county

## North Hoosick

Bennington Battlefield Park (at Walloomsac)

## Rensselaer

Fort Crailo (Yankee Doodle House)

## Rockland county

## Bear Mountain Park

Hessian pond, sometimes called Bloody pond

## Haverstraw

Tablet marking Arnold-André meeting place

King's Ferry tablet

Smith House or Treason House

## Stony Point

Fort Clinton

Fort Fayette

Stony Point Battlefield Reservation

Memorial Arch

Washington Hill where Washington's headquarters tent was erected, 1781

## Suffern

Methodist Episcopal Parsonage

Tavern, headquarters of Washington and Burr

## Tappan

"76" House, where André was imprisoned just prior to his execution

Monument marking the spot where André was executed

Tappan headquarters, where Washington issued the fatal warrant which condemned André to death



## Saratoga county

## Northumberland (town)

General John Stark's position, 1777 (Stark's knob)

## Saratoga battlefield (in towns of Saratoga and Stillwater).

Nine miles south of Schuylerville, the site of two important battles in the fall of 1777, the second one of which led to

General Burgoyne's surrender on October 17th of that year

Headquarters of General Gates, 1777

Headquarters of General Poor

Powder House restored

Ravine where attempt was made to assassinate Colonel Van Veghten

Marker at site of Bemis Tavern

Monument at Fort Neilson

## Schuylerville

Saratoga Battle Monument

Home of General Schuyler

Site of British camp

Site where Gates and Burgoyne signed articles of capitulation

Marshall House where Madam Reidesel and other women and children took refuge

Burgoyne Headquarters, 1777

British army surrender point

Burgoyne Artillery Park

Site of wheat fields burned by Mrs Schuyler

## Stillwater (town)

Headquarters of Generals Schuyler and Gates

## Waterford

Earthworks on Haver (Peoble's) island thrown up in 1777 as defense against advance of Burgoyne

## Schoharie county

## Cobleskill

Boulder marking the site of Fort DuBois, built in 1781 (Captain Christian Brown Chapter, D. A. R.)

Battle of Cobleskill, June 1, 1778

## Schoharie

Old Stone Fort

Grave and monument of David Williams, one of André's captors

Monument to perpetuate the valor of Colonel Peter Vrooman who defended the fort at the time of the invasion of the valley by Sir John Johnson, October 17, 1780

## Seneca county

## Kendaia

Monument to General Sullivan

## Seneca Falls

Tablet to mark the site of encampment of General Sullivan's army, 1779 (Sagoyewatha Chapter, D. A. R.)

Bronze tablet to the memory of the Revolutionary soldiers and pioneer settlers of Seneca county, also to commemorate Seneca county as part of the military tract assigned to Revolutionary soldiers (Sagoyewatha Chapter, D. A. R.)

## Suffolk county

## Huntington

Site of Fort Golgatha, occupied by the British

Hunting Village Green on which stood the block house for protection from the Indians. Here the early town meetings were held and militia drilled in Revolutionary times (Ketewamoke Chapter, D. A. R.)

## Patchogue

Marker on site of Hart's Tavern, visited by George Washington, 1790 (Colonel Josiah Smith Chapter, D. A. R.)

## Southampton

Site of Revolutionary fort

## Ulster county

## Hurley

Site of tree where Spy Taylor was hanged

Old hotel where Washington stopped

## Kingston

Senate House

Tappan House

Monument to Governor George Clinton

## Warren county

## Caldwell

Lake George Battleground Park

Fort George. At the head of Lake George. It was built by General Amherst in 1759 and was captured in 1775 by Colonel Bernard Romans

Battle of Diamond Island, September 1777, on Lake George

Site of Fort William Henry

## Glens Falls

Halfway Brook, famous military halting place

## Queensbury

Fort Amherst

## Washington county

## Fort Ann

Battle Hill and site of old forts

## Fort Edward

Granite monument near the scene of the massacre by the Indians of Jane McCrea on July 27, 1777 (Jane McCrea Chapter, D. A. R.)

Boulder marking the site of old Fort Edward, 1755-80 (Jane McCrea Chapter, D. A. R.)

## Greenwich

Boulder a mile and a half south of Greenwich inscribed "Old Continental Road over which a detachment of Burgoyne's Army under Colonel Baum passed on its way to Bennington, Vermont, August 13, 1777" (Willard's Mountain Chapter, D. A. R.)

Marker placed on Dix property inscribed, "200 feet north of this bridge is the road cut in the bank by General Fraser for the crossing of the Hudson by Burgoyne's Army, September 13-14, 1777" (Willard's Mountain Chapter, D. A. R.)

## White Creek

Site of Baum's skirmish, August 13, 1777

## Whitehall

Revolutionary and 1812 barracks

## Westchester county

## Cortlandt

Teller's Point or Underhill's Point. Here the British "Vulture" put Major André ashore at the foot of Mount Tor, below Haverstraw

## Dobbs Ferry

Livingston House in 1781 was Washington's headquarters. Here he and Count de Rochambeau planned the campaign against Yorktown, and here also the evacuation of New York was arranged by General Clinton and Sir Guy Carleton

## Hastings

Here a party of Hessians was surprised and cut to pieces by troops under Colonel Sheldon. From here Lord Cornwallis embarked for Fort Lee, after the fall of Fort Washington

## Mount Vernon

St Paul's Church

Eastchester Military Hospital

Marker on Glover's Rock standing on the battleground of Pell's Point (Bronx Chapter, D. A. R.)

In Van Cortlandt park there stands a tablet erected in memory of Chief Ninham and seventeen Stockbridge Indians who fought on the American side (Bronx Chapter, D. A. R.)

## New Rochelle

Thomas Paine Home

## Peekskill

Fort Independence

Monument to General Seth Pomeroy (S. A. R.)

Headquarters of Israel Putnam in 1779

Nearby is the old Van Cortlandt house, the residence of Washington for a short time during the Revolution

## Pelham

Site of Battle of Pell's Point

## Scarsdale

Bronze marker placed on an old milestone on New York Post Road (White Plains Chapter, D. A. R.)

## Tarrytown

Monument to captors of André

Tablet marking action July 15, 1781

## White Plains

In the courthouse the Provincial Congress of New York met July 9, 1776, the congress coming from New York on horseback. On that date they received the Declaration of Independence, which was read to the public in front of the courthouse, July 11th.

Old Fish Homestead, headquarters of General Howe during the battle of White Plains

Washington's headquarters (Miller House) (White Plains Chapter, D. A. R.)

Granite base on which is placed a mortar used in the Revolution (White Plains Chapter, D. A. R. assisted the Village Park Association)

## Yonkers

Philipse Manor House

## Wyoming county

## Perry

Site of farthest western point reached by General Sullivan

# WORKS RELATING TO THE AMERICAN REVOLUTION IN THE STATE OF NEW YORK

Compiled by Peter Nelson

## UNITED STATES

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# DOCUMENTS ILLUSTRATING THE REVOLUTION

## DECLARATION OF RIGHTS AND GRIEVANCES OF THE STAMP ACT CONGRESS

October 19, 1765

The members of this Congress, sincerely devoted, with the warmest sentiments of affection and duty to his Majesty's person and government, inviolably attached to the present happy establishment of the Protestant succession, and with minds deeply impressed by a sense of the present and impending misfortunes of the British colonies on this continent; having considered as maturely as time will permit, the circumstances of the said colonies, esteem it our indispensable duty to make the following declarations of our humble opinion, respecting the most essential rights and liberties of the colonists, and of the grievances under which they labor, by reason of several late acts of parliament.

I. That his Majesty's subjects in these colonies, owe the same allegiance to the crown of Great Britain, that is owing from his subjects born within the realm, and all due subordination to that august body the parliament of Great Britain.

II. That his Majesty's liege subjects in these colonies, are intitled to all the inherent rights and liberties of his natural born subjects, within the kingdom of Great Britain.

III. That it is inseparably essential to the freedom of a people, and the undoubted right of Englishmen, that no Taxes be imposed on them but with their own consent, given personally, or by their representatives.

IV. That the people of these colonies are not, and, from their local circumstances, cannot be, represented in the House of Commons in Great Britain.

V. That the only representatives of the people of these colonies are persons chosen therein by themselves, and that no taxes ever have been, or can be constitutionally imposed on them, but by their respective legislatures.

VI. That all supplies to the crown being free gifts of the people, it is unreasonable and inconsistent with the principles and spirit of the British constitution, for the people of Great Britain to grant to his Majesty the property of the colonists.

VII. That trial by jury, is the inherent and invaluable right of every British subject in these colonies.

VIII. That the late act of parliament, entitled, *An act for granting and applying certain stamp duties, and other duties, in the British colonies and plantations in America, etc.*, by imposing taxes on the inhabitants of these colonies, and the said act, and several other acts, by extending the jurisdiction of the courts of admiralty beyond its ancient limits, have a manifest tendency to subvert the rights and liberties of the colonists.

IX. That the duties imposed by several late acts of parliament, from the peculiar circumstances of these colonies, will be extremely burthensome and grievous; and from the scarcity of specie, the payment of them absolutely impracticable.

X. That as the profits of the trade of these colonies ultimately center in Great Britain, to pay for the manufactures which they are obliged to take from thence, they eventually contribute very largely to all supplies granted there to the crown.

XI. That the restrictions imposed by several late acts of parliament on the trade of these colonies, will render them unable to purchase the manufactures of Great Britain.

XII. That the increase, prosperity and happiness of these colonies, depend on the full and free enjoyments of their rights and liberties, and an intercourse with Great Britain mutually affectionate and advantageous.

XIII. That it is the right of the British subjects in these colonies to petition the king, or either house of parliament.

Lastly, That it is the indispensable duty of these colonies to the best of sovereigns, to the mother country, and to themselves to endeavor by a loyal and dutiful address to his Majesty, and humble application to both houses of parliament, to procure the repeal of the act for granting and applying certain stamp duties, of all clauses of any other acts of parliament, whereby the jurisdiction of the admiralty is extended as aforesaid, and of the other late acts for the restriction of American commerce.

(Avery, *History of the United States*, 5:401-3)



## CONSTITUTION OF ALBANY SONS OF LIBERTY

1766

As in our present distressed condition, while under the greatest apprehensions of yet threatening Slavery, our surest refuges seem the mercies of God, and our own fixed and unanimous resolution to persevere to the last in the vindication of our dear bought RIGHTS and PRIVILEGES, the very ESSENTIALS of our peerless CONSTITUTION, THESE, in the awful presence of the Righteous JEHOVAH, serve to bind us, the Subscribers and public Assentors hereto, in the ARTICLES following:—

A. 1. That we will choose from our Body a Committee of thirteen men, who are hereby empowered to choose their President and Clerk, to continue as the Committee during good behavior, or till a majority of the Subscribers think proper to call for a new choice; which, when moved, shall be signified to the Clerk for the time being, in writing, and signed by at least such number as may be reasonably taken to represent such majority, who shall thereupon give public notice for a new Election, with all convenient speed.

A. 2. That in all matters relative to the Stamp act in particular; or other thing that shall be thought by us unconstitutional and oppressive, we will make known our grievance to some one or more of said Committee, who are hereby required and directed to meet together and consider the same, and whereinsoever they conceive it necessary to have our general advice and concurrence, to give us public notice thereof, on which occasions we solemnly engage and promise our attendance.

A. 3. That we will countenance no step whatsoever to the disturbance of the public tranquillity, nor private peace of any man, nor engage in any one matter or thing under colour or pretence of the cause of LIBERTY, in a separate and detached manner, or without the advice and consent of the President and a majority of the Committee, or some one or more person or persons by them publicly appointed to direct; and that in pursuance to all directions by them given, we will behave and deport in the most regular and orderly manner, aiming at nothing but the promotion and security of the GENERAL CAUSE,—but,

A. 4. That we will, to the utmost of our power, detect, oppose, and assist in bringing to condign punishment, any person or persons who, taking advantage of the public trouble, would make the same

a pretext to injure any person in their Character or Property, or (without such precaution as above said) shall presume to meddle with or disturb tumultuously any person or persons on any pretence whatsoever.

A. 5. That we will discourage, discountenance and oppose the mean practice of dropping Letters on the Streets, setting up scandalous Libels, Verses, or any other thing detractive of any person's Character, thereby to draw on him or them the public Odium, and put his person or property in danger: confiding that no legitimate Son of LIBERTY will be either ashamed or afraid to forward his commands by proper mission, where they may be duly considered and applied.

A. 6. That all persons to whom these Articles shall be proposed for their assent and concurrence to them, and who shall neglect or refuse giving the same, or proper and satisfactory reasons for such neglect or refusal, shall be considered by us as cold Friends to Liberty, and treated accordingly.

A. 7. That we have the highest esteem of his most sacred Majesty, King George the third, the Sovereign Protector of our Rights, and the successional by Law established, and will bear true Allegiance to him and his Royal house forever.

A. 8. That if any person subscribing or publicly assenting and behaving agreeable to these ARTICLES shall at any time hereafter for such behaviour be arrested, taken, prosecuted by any force civil or military, within our possible reach, that on notice of the same we will do the uttermost for his or their relief that our persons and fortunes enable; accounting the person or persons denying, refusing, or frivolously excusing himself therefrom after such subscription or assent, a perjured Traytor to LIBERTY, his KING and his COUNTRY, for the defence of which and true performance of the above ARTICLES,—HELP US GOD.

[94 signatures]

*(The American Historian and Quarterly  
Genealogical Record, 1:145-46)*

## RESOLUTIONS OF NEW YORK GENERAL ASSEMBLY

December 31, 1768

The general assembly agrees to these resolutions: "As it is not only the common birthright of all his Majesty's subjects, but it is also essential to the preservation of the peace, strength and prosperity of the British empire; that an exact equality of constitutional rights, among all his Majesty's subjects in the several parts of the empire, be uniformly and invariably maintained and supported; and as it would be inconsistent with the constitutional rights of his Majesty's subjects in Great Britain, to tax them either in person or estate, without the consent of their representatives in parliament assembled. It is therefore,

"Resolved, *Nemine Contradicente*,

"That . . . as his most gracious Majesty is the common father of all his good subjects, dispersed throughout the various parts of the British empire; And as the commons of Great Britain in parliament assembled, do enjoy a constitutional right of humbly petitioning his Majesty, as the common father of his people there, for constitutional benefits and the redress of grievances. The representatives of this colony, in general assembly convened, lawfully may, and ought to exercise the same constitutional right, when, and as often as to them shall seem meet.

"Resolved,

"That . . . this colony lawfully and constitutionally has and enjoys an internal legislature of its own, in which the crown and the people of this colony, are constitutionally represented; and that the power and authority of the said legislature, cannot lawfully or constitutionally be suspended, abridged, abrogated, or annulled by any power, authority or prerogative whatsoever, the prerogative of the crown ordinarily exercised for prorogations and dissolutions only excepted.

"Resolved, *Nemine Contradicente*,

"That . . . this house has an undoubted right, to correspond and consult with any of the neighboring colonies, or with any other of his Majesty's subjects out of this colony, or belonging to any part of his Majesty's realm or dominions, either individually or collectively on any matter, subject or thing whatsoever, whereby they shall conceive the rights, liberties, interests or privileges of this house, or of its constituents, are, or may be affected."

(*Journal of the Votes and Proceedings of the  
General Assembly of the Colony of New  
York, 1768-69, page 70-71*)

DRAFT OF CONSTITUTION OF NEW YORK SONS OF  
LIBERTY

July 7, 1769

New York, July 7, 1769

At this alarming crisis when we are threatened with a Deprivation of those invaluable Rights, which our Ancestors purchased with their Blood—Rights, which as Men, we derive from Nature; as Englishmen, have secured to us by our excellent Constitution; and which once torn from us, will in all Probability never be restored. At this important Time, when we are exerting every legal Effort to preserve to Ourselves and Posterity the complete and undisturbed Enjoyment of them, it is of the last Consequence to act with Vigilance and Unanimity. It must appear obvious to every unprejudiced Mind, that supineness would prove as fatal to us, as a Disunion; and therefore, the more effectually to guard against both—A Number of the Inhabitants of this City, have determined to drop all Party Distinction that may have originated from a Difference in Sentiments in other Matters—to form Ourselves into a Society, under the general and honorable Appellation, of the United SONS of LIBERTY,—and strictly to adhere to the following RESOLUTIONS,

I. To hold a general Meeting on the first Monday Evening in every Month, at the House of Mr. De La Montague.

II. To convene occasionally if Circumstances occur to render it necessary.

III. That we will Support the constitutional Measures entered into by the Merchants, Traders, and other Inhabitants of this City.

IV. The grand Design of this Association being to Support the Measures entered into by the Merchants, Traders, and other Inhabitants of this City—That, we will not in any Manner whatever counteract the Designs of either Committee, but contribute to the effectual Execution of them, by all legal Means in our Power.

V. That we will not knowingly purchase from, nor sell, to any Person or Persons who shall violate the Non-importation Agreement.

VI. That we will neither let Houses to, nor hire them from. That we will not employ, nor be employed by, nor in anywise hold Connection in Trade with, those who violate the Agreement, or with such as shall Countenance their base Conduct, by dealing with them.

VII. That we do steadily and invariably pursue such Measures, and *such* only, as shall appear best calculated to promote the general Good of the Colonies. That the sole End of the United SONS of

LIBERTY, is to secure their common Rights — That the Object we have principally in View, is a repeal of the Acts imposing Duties on Paper, Glass, &c. and that we will not as a Society under the said Appellation, engage in any other Matter whatever.

N. B.—The United Sons of Liberty, are to hold a Meeting on Monday Evening next, precisely at Seven o’Clock, at the House of Mr. De La Montague; and do hereby publicly invite every Lover of constitutional Freedom, to meet with them at the above-mentioned Time and Place.

(Broadside reproduced in Stokes,  
*Iconography*, 4:752)

## THE “BATTLE OF GOLDEN HILL”

January 19–20, 1770

The hostility between soldiers and citizens, which has been increasing steadily for several days culminates in the “battle of Golden Hill.” On this day a party of soldiers went about the city nailing up, in conspicuous places, a broadside published by them which attacked the Sons of Liberty and lauded the conduct of the soldiers. Isaac Sears and Walter Quackenbos attempted to prevent the posting of one of these papers at the Fly Market, declaring it a libel against the inhabitants; one soldier drew his bayonet and Mr. Sears struck him with a “Rams Horn.” Two soldiers were seized and taken to the mayor’s house, where a number of citizens soon assembled. “Shortly after, about twenty Soldiers, with Cutlasses and Bayonets, from the lower Barracks [at the Battery], made their Appearance.” At the mayor’s house the soldiers demanded the release of their comrades. Some of them drew their bayonets, and the citizens, seeing this, “ran to some Sleighs that were near and pulled out some of the Rungs.” The mayor, now appearing, ordered the soldiers to their barracks. They moved away slowly, the citizens following, for it was feared “they might offer Violence to some of the Citizens.” When they reached the summit of Golden Hill, they were joined by other soldiers. This addition to their forces “inspired them to re-insult the Magistrates and exasperate the Inhabitants.” Upon one giving the word of command, “Soldiers, draw your Bayonets and cut your Way through them,” they all shouted “Where are your Sons of Liberty now?” and fell upon the citizens “with great Violence, cutting and slashing.” The citizens defended themselves as best they could until the arrival of enough of the inhabitants to force the soldiers to disperse. A number of people were wounded in the struggle, one sailor having his head and finger cut, and

a Quaker, his cheek slashed. "Several of the soldiers that were on the Hill were much bruised, and one of them badly hurt."

There were more encounters on the next day; one between soldiers and sailors was stopped only, after much trouble, by the magistrates and citizens; in another, "one of the Citizens was wounded in the Face, and had two of his Teeth broke by a Stroke of a Bayonet: A Soldier received a bad Cut on the Shoulder."

(Stokes, *Iconography*, 4:803, based on *N. Y. Post-Boy*, Feb. 5, 1770.)

## INVITATION TO NEW YORK'S TEA PARTY

April 21, 1774

To the Public, The sense of the city, relative to the landing the East India Company's tea, being signified to Captain Lockyer, by the committee, nevertheless, it is the desire of a number of the citizens, that at his departure from hence he should see, with his own eyes, their detestation of the measures pursued by the Ministry and the India Company, to enslave this country. This will be declared by the convention, & the people at his departure from this city which will be on next Saturday morning, at 9 o'clock, when no doubt every friend to this country will attend. The bells will give the notice about an hour before he embarks from Murray's Wharf. New York, April 21, 1774. By Order of the Committee.

(*Rivington's Gazetteer*, April 28, 1774)

## CONTEMPORARY ACCOUNT OF THE TEA PARTY

April 22, 1774

About 4 P. M. the ship came to the wharf, when she was boarded by a number of the citizens. Capt. Chambers was interrogated relative to his having the tea on board, but he still denied it. He was then told that it was in vain to deny it, for as there was good proof of its being on board, it would be found, as there were committees appointed to open every package, and that he had better be open and candid about it; and demanded the cocket for the tea; upon which he confessed it was on board, and delivered the cocket. The owners and the committee immediately met at Mr Francis's, where Captain Chambers was ordered to attend. Upon examining him who was the shipper and owner of the tea? he declared that he was sole owner of it. After the most mature deliberation, it was determined to communicate the whole state of the matter to the people, who were convened near the ship;

which was accordingly done. The Mohawks were prepared to do their duty at a proper hour; but the body of the people were so impatient, that before it arrived, a number of them entered the ship, about 8 P. M. took out the tea, which was at hand, broke the cases, and started their contents into the river, without doing any damage to the ship or cargo. Several persons of reputation were placed below to keep tally, and about the companion to prevent ill-disposed persons from going below the deck.

At 10 the people all dispersed in good order, but in great wrath against the Captain; and it was not without some risque of his life that he escaped.

*(Rivington's Gazetteer, April 28, 1774)*

## NEW YORK COMMITTEE SUGGESTS A "GENERAL CONGRESS"

May 15, 1774

Last Thursday Capt. Coupar arrived from London in 27 days . . . By him we have received the shocking and detestable Act of Parliament, that shuts up your Port the first of June . . . We want Language to express our Abhorrence of this additional Act of Tyranny to America; we clearly see that she is to be attacked and enslaved by distressing and subduing you . . . we are persuaded that the sensible People of the Town of Boston anticipate the Object of the late Act, in all it's dire extent; and therefore that a Compliance with the Provisos of it will only be a Temporary Relief from a particular Evil; which will and must end in a more general Calamity. Impressed with this, a great number of our citizens wish our Port to be in the same State with yours. And as the Ministry have put it out of your Power, to continue your Trade with Great Britain, we have stimulated the Merchants to appoint a Meeting tomorrow evening at seven o'clock to agree upon a general Non-importation, and Non-exportation Agreement of Goods, to and from Great Britain, untill the American Grievances are redressed; under such Regulations as may be agreed upon by Committees from the Principal Towns on the Continent, to meet in a general Congress to be held here for that Purpose; and also to stop the Exportation of all Hoops, Staves, Heading and Lumber to the English Islands: And to suffer no more of the first Articles to be exported to the foreign islands than will be sufficient to bring home the Sugar, Rum and Molasses for the Return of American Cargoes. . . . We can with great Truth assure you, that many timid and selfish People in this City, who have interested themselves but very little in the controversy with Great Britain, ex-

pressed the greatest Indignation and Resentment at the Conduct of the Ministry to your Town, and consider the Treatment to it, as if done immediately to this City. And this is the General Sense of our Inhabitants, which we judged necessary should be communicated to you; even in this hasty incoherent Manner. We have no Time to send this to other Members of the Committee, for Reasons, which the Express, Mr Cornelius Bradford, will inform you. He is a true Friend to the Liberties of this Country and will wait your directions for his Return.

(Stokes, *Iconography*, 4:853, from copy of the letter preserved in New York Public Library)

## PALATINE DISTRICT, TRYON COUNTY, ORGANIZES A REVOLUTIONARY COMMITTEE

August 7, 1774

County of }  
Tryon } WHEREAS the British Parliament has lately passed an Act for raising a Revenue in America without the Consent of our Representative to abridging the Liberties and privileges of the American Colonies and therefore blocking up the port of Boston; the Freeholders and Inhabitants of Palatine Dist., in the County of Tryon aforesaid, looking with concern and heartfull sorrow on these Allarming and calamitous Conditions, Do meet this 27th day of August, 1774. On that purpose at the house of Adam Loucks Esq.<sup>r</sup> at Stonearabia, and concluded the Resolves following: Vizt. I.) That King George the Third is Lawful and Rightful Lord and Sovereign of Great Britain and the Dominions thereto belonging, and that as Part of his Dominion We hereby testify, that We will bear true Faith and Allegiance unto him, and that we Will with our Lives and Fortunes support and maintain him upon the Throne of His Ancestors and the just Dependence of these his Colonies upon the Crown of Great Britain —

II.) That we think and consider it as our greatest Happiness to be governed by the Laws of Great Britain, and that with Chearfulness We will always pay Submission thereunto, as far as we consistently can, with the Security of the Constitutional Rights and Liberties of English Subjects, which are so sacred, that we cannot permit the same to be violated —

III.) That We think it is our undeniable Privilege to be taxed only with our own Consent given by ourselves (or by our Representative). That Taxes otherwise laid and exacted are unjust and unconstitutional.



That the Late Acts of Parliament declarative of their Right of laying internal Taxes on the American Colonies are obvious Incroachment in the Rights and Liberties of the British Subjects in America —

IV.) That the Act for blocking up the Port of Boston is oppressive and arbitrary, injurious in its principles and particularly oppressive to the Inhabitants of Boston, who we consider as Brethren suffering in the Common Cause —

V.) That We will unite and join with the different Districts of this County, in giving whatever Relief it is in our power to the poor distressed Inhabitants of Boston, and that we will join and unite with our Brethren of the Rest of the Colony in anything tending to support and defend our Rights and Liberties —

VI.) That we think the sending of Delegates from the different Colonies to a general Continental Congress is a Salutary Measure, and absolutely necessary at this alarming Crisis, and that we intirely approve of the five Gentlemen chosen Delegates for this Colony by our Brethren of N. York, hereby adopting and choosing the same persons to represent this Colony at the Congress —

VII.) That We hereby engage faithfully to abide by and adhere to such Restrictions and Regulations, as shall be made and agreed upon by the said Congress —

VIII.) That we conceive it necessary, that there be appointed a standing committee of this County, to correspond with the Committees of N. York and Albany, and we do hereby appoint

Christopher P. Yates

Isaac Paris

John Frey &

Andrew Finck jun.<sup>r</sup>

who together with persons to be appointed by the other District of this County shall compose a Committee of Correspondence to convey the sentiments of this County in a Sett of Resolves to New York —

IX.) It is voted by this meeting, that Copies of the proceeding of this Day certified by the chairman be transmitted to the Supervisors of the different Districts of this County.— And we recommend it to the Inhabitants of the said Districts to appoint persons to compose also a Committee of Correspondence—

*(Minute Book of the Committee of  
Safety of Tryon County, 1-4)*

PROVINCIAL CONGRESS CALLED BY THE NEW YORK  
CITY COMMITTEE

April 28, 1775

## CIRCULAR

Committee Chamber, New York, April 28, 1775

Gentlemen,

The distressed and alarming situation of our Country, occasioned by the sanguinary measures adopted by the British Ministry, (to enforce which, the Sword has been actually drawn against our brethren in the Massachusetts), threatening to involve this Continent in all the horrors of a civil War, obliges us to call for the united aid and council of the Colony, at this dangerous crisis.

Most of the Deputies who composed the late Provincial Congress, held in this City, were only vested with powers to chose Delegates to represent the Province at the next Continental Congress, and the Convention having executed that trust dissolved themselves: It is therefore thought advisable by this Committee, that a Provincial Congress be immediately summoned to deliberate upon, and from time to time to direct such measures as may be expedient for our common safety.

We persuade ourselves, that no arguments can now be wanting to evincē the necessity of, a perfect union; and we know of no method in which the united sense of the people of the province can be collected, but the one now proposed. *We therefore entreat your County heartily to unite in the choice of proper persons to represent them at a Provincial Congress to be held in this City on the 22d of May next,—* Twenty Deputies are proposed for this City, and in order to give the greater weight and influence to the councils of the Congress, we could wish the number of Deputies from the counties, may be considerable.

We can assure you, that the appointment of a Provincial Congress, approved of by the inhabitants of this city in general, is the most proper and salutary measure that can be adopted in the present melancholy state of this Continent; and we shall be happy to find, that our brethren in the different Counties concur with us in opinion.

By order of the Committee,

ISAAC LOW, *Chairman.*

(*Calendar of Historical Manuscripts relating to the War of the Revolution, 1:4*)

## THE GENERAL ASSOCIATION

Goshen, Orange County, April 29th, 1775.

A General Association, agreed to, and subscribed by the Freeholders, and Inhabitants of the County of Orange in the Province of New York.

Persuaded that the salvation of the Rights and Liberties of America, depends under God, on the firm union of its inhabitants, in a vigorous prosecution of the measures necessary for its safety, and convinced of the necessity of preventing the anarchy and confusion which attend a dissolution of the powers of Government, WE the Freemen, Freeholders, and Inhabitants of the County of Orange being greatly alarmed at the avowed design of the Ministry, to raise a revenue in America, and shocked by the bloody scene now acting in the Massachusetts-Bay, DO in the most solemn manner resolve never to become Slaves, and do associate under all the ties of Religion, Honour and Love to our Country, to adopt and endeavour to carry into execution whatever measures may be recommended by the Continental Congress or resolved upon by this Provincial Congress for the purpose of preserving our Constitution, and opposing the execution of the several arbitrary and oppressive acts of the British Parliament, until a reconciliation between Great-Britain and America, on constitutional principles, (which we most ardently desire,) can be obtained; and that we will in all things, follow the advice of our respective Committees, respecting the purposes aforesaid, the preservation of Peace, and good order, and the safety of individuals and private Property.

[Names of sixty-one signers and two nonsigners given]

*(Calendar of Historical Manuscripts relating to the War of the Revolution, 1:5)*

PROVINCIAL CONGRESS ORDERS ALL PERSONS TO SIGN  
THE GENERAL ASSOCIATION

May 29, 1775

The draft of a resolve reported by the committee appointed for that purpose, recommending the choosing of committees and subcommittees and signing the association, being read and amended, was approved, agreed to and resolved, and is in the words following, to wit:

*Resolved*, That it be recommended, and it is hereby accordingly recommended to all the counties in this Colony, (who have not already done it,) to appoint county committees, and also sub-committees for their respective townships, precincts and districts, without delay, in order to carry into execution the resolutions of the Continental and this Provincial Congress.

And that it is also recommended to every inhabitant of this Colony, who has hitherto neglected to subscribe the general Association, to do it with all convenient speed. And for these purposes that the committees in the respective counties in which committees have been formed, do tender the said Association to every inhabitant within the several districts in each county. And that such persons in those counties or districts, who have not appointed committees as shall be appointed by the members of this Congress, representing such counties and districts respectively, do make such tender as aforesaid in such counties and districts respectively; and that the said committees and persons respectively do return the said Association and the names of those who shall neglect or refuse to sign the same, to this Congress, by the fifteenth day of July next, or sooner, if possible.

(*Journals of the Provincial Congress*, 1:18)

## PROVINCIAL CONGRESS ASSUMES POWER OF TAXATION

June 24, 1775

That from the necessity of the case, Britain ought to regulate the trade of the whole Empire.

That from the natural right of property, the powers of taxation ought to be confined to the Colony Legislatures respectively: Therefore,

That the moneys raised as duties upon the regulations of trade, ought to be paid into the respective Colony treasuries, and be subject to the disposal of their assemblies.

Debates arose thereon, and the question being put, whether the Congress does agree to the said 2nd, 3rd and 4th paragraphs [above], it was carried in the affirmative, in manner following, to wit:

For the affirmative		For the negative	
Albany .....	3	Suffolk .....	2
Dutchess .....	2	Ulster .....	2
Westchester .....	2	Cumberland .....	2
Kings .....	2		—
Tryon .....	2		6
Richmond .....	2	Dissentients—Colo. Woodhull,	
Queens .....	2	Mr Sacket, Mr Sears, Mr Scott,	
New York .....	4	Mr Brasher, Mr Beekman	
Orange .....	2		
Charlotte .....	2		

(*Journals of the Provincial Congress*, 1:52)

## NEW YORK VIRTUALLY DECLARES INDEPENDENCE

May 27, 1776

The order of the day being read, Congress proceeded to hear the report of the committee on the resolution of Continental Congress of the (15th May,) relating to a new form of government; the same was read, and being again read by paragraphs, is in the words following, to wit:

"That your committee are of opinion that the right of framing, creating, or new modeling civil government, is, and ought to be, in the people.

"2dly. That as the present form of government, by Congress and Committees in this Colony, originated from, so it depends on, the free and uncontrolled choice of the inhabitants thereof.

"3dly. That the said form of government was instituted while the old form of government still subsisted, and therefore is necessarily subject to many defects which could not then be remedied by any new institutions.

"4thly. That by the voluntary abdication of the late Governor Tryon, the dissolution of our Assembly for want of due prorogation, and the open and unwarrantable hostilities committed against the persons and property of the inhabitants of all the United Colonies in North America by the British fleets and armies, under the authority and by the express direction and appointment of the King, Lords and Commons of Great Britain, the said old form of government is become, *ipso facto*, dissolved; whereby it hath become absolutely necessary for the good people of this Colony to institute a new and regular form of internal government and police. *The supreme legislative and executive power in which should, for the present, wholly reside and be within this Colony, in exclusion of all foreign and external power, authority, dominion, jurisdiction and preeminence whatsoever.*

"5thly. That doubts have arisen, whether this Congress are invested with sufficient authority to frame and institute such new form of internal government and police.

"6thly. That those doubts can and of right ought to be removed by the good people of this Colony only.

"7thly. That until such new form of internal police and government be constitutionally established, or until the expiration of the term for which this Congress was elected, this Congress ought to continue in the full exercise of their present authority, and in the meantime ought to give the good people of each several and respective county in this

Colony, full opportunity to remove the said doubts, either by declaring their respective representatives in this Congress, in conjunction with the representatives of the other counties respectively, competent for the purpose of establishing such new form of internal police and government, and adding to their number, if they shall think proper, or by electing others in the stead of the present members, or any or either of them, and increasing (if they should deem it necessary) the number of deputies from each county, *with the like* powers as are now vested in this Congress, and with express authority to institute and establish such new and internal form of government and police as aforesaid.

"8thly. That, therefore, this House takes some order to be publicly notified throughout the several counties in this Colony, whereby the inhabitants of each county respectively, on a given day to be appointed in each of them respectively by this Congress for the purpose, may, by plurality of voices, either confirm their present representatives respectively in this Congress in their present powers, and with express authority, in conjunction with the representatives in this Congress for the other counties, to institute a new internal form of government and police for this Colony, suited to the present critical emergency, and to continue in full force and effect until a future peace with Great Britain shall render the same unnecessary, or elect new members for that purpose, to take seats in Congress in the place of those members respectively who shall not be so confirmed. The whole number to be capable of such addition or increase in each respective county, as aforesaid.

"By order of the committee."

"HENRY REMSEN, *Chairman*"

The said report being considered, was accepted.

(*Journals of the Provincial Congress*, 1:462-63)

## LETTER OF NEW YORK DELEGATES ON INDEPENDENCE

July 2, 1776

Philadelphia 2d July 1776.

*Gentlemen*

The important Question of Independency [*sic*] was agitated yesterday in a Committee of the whole Congress, and this Day will be finally determined in the House. We know the Line of our Conduct on this Occasion; we have your Instructions, and will faithfully pursue them.

New Doubts and Difficulties however will arise should Independency be declared; and that it will not, we have not the least Reason to expect nor do we believe that (if any) more than one Colony (and the Delegates of that divided) will vote against the Question; every Colony (ours only excepted) having withdrawn their former Instructions, and either positively instructed their Delegates to vote for Independency; or concur in such Vote if they shall judge it expedient. What Part are we to act after this Event takes Place; every Act we join in may then be considered as in some Measure acceding to the Vote of Independency, and binding our Colony on that Score. Indeed many matters in this new Situation may turn up in which the Propriety of our voting may be very doubtful; tho we conceive (considering the critical Situation of Public Affairs and as they respect our Colony in particular invaded or soon likely to be by Powerful Armies in different Quarters) it is our Duty nay it is absolutely necessary that we should not only concur with but exert ourselves in forwarding our military Operations. The immediate safety of the Colony calls for and will warrant us in this. Our situation is singular and delicate No other Colony being similarly circumstanced with whom we can consult. We wish therefore for your earliest Advice and Instructions whether we are to consider our Colony bound by the Vote of the Majority in Favor of Independency and vote at large on such Questions as may arise in Consequence thereof or only concur in such Measures as may be absolutely necessary for the Common safety and defence of America exclusive of the Idea of Independency. We fear it will be difficult to draw the Line; but once possessd of your Instructions we will use our best Endeavours to follow them.

We are with the greatest Respect your

Most Obedt Servts.

Geo Clinton.

Henry Wisner.

John Alsop.

Wm. Floyd.

Fras. Lewis.

To the Honble

The Provinceal Congress of New York

(Burnett, *Letters of Members of the Cont. Cong.* 1:524)

## NEW YORK RATIFIES THE DECLARATION OF INDEPENDENCE

July 9, 1776

At a meeting of a Provincial Congress for the Province of New York, at the Court House, in the town of White Plains, in the county of Westchester, on Tuesday, 9th July, 1776,

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\* \* \*

A letter from the Delegates of this Colony at Continental Congress enclosing the Declaration of Independence, was received and read,

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\* \* \*

The Declaration of Independence enclosed in the above mentioned letter, was then read, and is in the words following, that is to say:

In Congress, July 4th, 1776.

A Declaration by the Representatives of the United States of America, in General Congress assembled.

When in the Course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitles them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has



been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tryanny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the repository of their Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislature.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by jury:

For transporting us beyond Seas to be tried for pretended offences:

For abolishing the free System of English Laws in a neighboring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation, and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow-Citizens taken captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which many define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and

correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

WE, THEREFORE, the REPRESENTATIVES of the UNITED STATES OF AMERICA, IN GENERAL CONGRESS. Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by authority of the good People of these Colonies, solemnly PUBLISH and DECLARE, That these United Colonies are, and of Right ought to be FREE AND INDEPENDENT STATES; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britian is and ought to be totally dissolved; and that as FREE AND INDEPENDENT STATES, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which INDEPENDENT STATES may of right do. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, We mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

Ordered. That the said letter and Declaration be referred to a committee, to consist of Mr. Jay, Mr. Yates, Mr. Hobart, Mr. Brasher and Mr. Wm. Smith.

\* \* \*

\* \* \*

Tuesday, P. M.

White Plains, July 9th, 1776.

The Convention met.

\* \* \*

\* \* \*

The committee appointed to take into consideration the letter from our Delegates in Continental Congress, and the Declaration of Independence, reported the following, which was unanimously agreed to, and is in the words following, that is to say:

*Resolved unanimously*, That the reasons assigned by the Continental Congress for declaring the United Colonies free and independent States are cogent and conclusive; and that while we lament the cruel necessity which has rendered that measure unavoidable, we approve the same, and will, at the risk of our lives and fortunes, join with the other Colonies in supporting it.

*Resolved*, That a copy of the said Declaration and the foregoing resolutions be sent to the chairman of the committee of the county of Westchester, with orders to publish the same, with beat of drum, at this place on Thursday next; and to give directions that it be published

with all convenient speed in the several districts within the said county; and that copies thereof be forthwith transmitted to the other county committees within the State of New York, with orders to cause the same to be published in the several districts of their respective counties.

*Resolved*, That 500 copies of the Declaration of Independence, with the two last mentioned resolutions of this Congress for approving and proclaiming the same, be published in handbills and sent to all the county committees in this State.

*Resolved*, That the Delegates of this State in Continental Congress be and they are hereby authorized to consent and adopt all such measures as they may deem conducive to the happiness and welfare of the United States of America.

*Ordered*, That copies of the aforesaid resolutions be transmitted to the Continental Congress.

(*Journals of the Provincial Congress*, 1:515-18;  
the Declaration of Independence inserted  
from another copy)

## FIRST STATE CONSTITUTION

April 20, 1777

Die Solis, 6 ho. P. M., April 20, 1777

The Convention met pursuant to adjournment.

Present—Leonard Gansevoort, Esq. *Prest. Pro tem*

Genl. Scott, Mr Bancker, Major Van Zandt, Mr Dunscomb, Mr Harper, Mr Beekman, Capt. Rutgers—*New York*.

Mr Harper—*Tryon*.

Major Tappen—*Ulster*.

Major Landon, Mr R. R. Livingston, Capt. Schenck, Mr G. Livingston—*Dutchess*.

Mr Gansevoort, Mr Ten Broeck, Mr Cuyler, Mr Abm. Yates, Mr Bleecker, Colo. Livingston—*Albany*.

Mr Wisner, Mr Clarke, Colo. Allison—*Orange*.

Mr Smith, Mr Treadwell, Mr Miller, Mr Hobart—*Suffolk*.

Mr Morris, Colo. Drake, Judge Graham, Major Lockwood—*Westchester*.

Colo. Williams, Major Webster—*Charlotte*.

Mr Stephens—*Cumberland*.

The constitution, or plan of government of this State, as amended, was read throughout, and such amendments as being proposed were

unanimously agreed to without debate by every member present; and the general question being put thereon, it was agreed to by every member present, except Colo. Peter R. Livingston, who desired that his dissent thereto be entered on the minutes.

[Preambles and Declaration of Independence omitted]

AND WHEREAS this Convention having taken this declaration into their most serious consideration, did on the ninth day of July last past, unanimously resolve, that the reasons assigned by the Continental Congress for declaring the United Colonies free and independent States, are cogent and conclusive: and that while we lament the cruel necessity which has rendered that measure unavoidable, we approve the same, and will, at the risk of our lives and fortunes, join the other Colonies in supporting it.

By virtue of which several acts, declarations and proceedings mentioned and contained in the afore recited resolves or resolutions of the General Congress of the United American States, and of the Congresses or Conventions of this State, all power whatever therein hath reverted to the people thereof, and this Convention hath by their suffrages and free choice been appointed, and among other things, authorized to institute and establish such a government as they shall deem best calculated to secure the rights and liberties of the good people of this State, most conducive of the happiness and safety of their constituents in particular, and of America in general.

I. This Convention, therefore, in the name and by the authority of the good people of this State, doth ordain, determine and declare, that no authority shall, on any pretence whatever, be exercised over the people or members of this State, but such as shall be derived from and granted by them.

II. This Convention doth further, in the name and by the authority of the good people of this State, ordain, determine and declare, that the supreme Legislative power, within this State, shall be vested into two separate and distinct bodies of men; the one to be called the Assembly of the State of New York; the other to be called the Senate of the State of New York; who together shall form the Legislature, and meet once at least in every year for the despatch of business.

III. AND WHEREAS laws inconsistent with the spirit of this constitution or with the public good, may be hastily and unadvisedly passed:

*Be it Ordained*, That the Governor for the time being, the Chancellor, and the Judges of the Supreme Court, or any two of them, together with the Governor, shall be, and hereby are, constituted a Council to

revise all bills about to be passed into laws by the Legislature; and for that purpose shall assemble themselves from time to time, when the Legislature shall be convened; for which nevertheless they shall not receive any salary or consideration, under any pretence whatever. And that all bills, which have passed the Senate and Assembly, shall, before they become laws, be presented to the said Council for their revisal and consideration; and if, upon such revision and consideration, it should appear improper to the said Council, or a majority of them, that the said bill should become a law of this State, that they return the same, together with their objections thereto in writing, to the Senate, or House of Assembly, in whichsoever the same shall have originated, who shall enter the objections sent down by the Council, at large on their minutes, and proceed to reconsider the said bill. But if after such reconsideration two-thirds of the said Senate, or House of Assembly, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the Legislature, where it shall also be reconsidered, and if approved by two-thirds of the members present, it shall be a law.

And in order to prevent any unnecessary delays,

*Be it further Ordained*, That if any bill shall not be returned by the Council within ten days after it shall have been presented, the same shall be a law, unless the Legislature shall, by their adjournment, render a return of the said bill within ten days impracticable; in which case the bill shall be returned on the first day of the meeting of the Legislature, after the expiration of the said ten days.

IV. That the Assembly shall consist of at least seventy members, to be annually chosen in the several counties in the proportions following, viz:

For the city and county of New York.....	nine
the city and county of Albany.....	ten
the county of Dutchess.....	seven
the county of Westchester.....	six
the county of Ulster.....	six
the county of Suffolk.....	five
the county of Queens.....	four
the county of Orange.....	four
the county of Kings.....	two
the county of Richmond.....	two
the county of Tryon.....	six
the county of Charlotte.....	four
the county of Cumberland.....	three
the county of Gloucester.....	two

V. That as soon after the expiration of seven years, subsequent to the termination of the present war, as may be, a census of the electors and inhabitants in this State be taken, under the direction of the Legislature. And if on such census, it shall appear that the number of Representatives in Assembly, from the said counties, is not justly proportioned to the number of electors in the said counties respectively, that the Legislature do adjust and apportion the same by that rule. And further, that once in every seven years, after the taking of the said first census, a just account of the electors resident in each county shall be taken; and if it shall thereupon appear that the number of electors in any county, shall have increased or diminished one or more seventieth parts of the whole number of electors, which on the said first census shall be found in this State, the number of Representatives for such county shall be increased or diminished accordingly, that is to say, one Representative for every seventieth part as aforesaid.

VI. AND WHEREAS an opinion hath long prevailed, among divers of the good people of this State, that voting at elections by ballot, would tend more to preserve the liberty and equal freedom of the people, then voting *viva voce*; to the end therefore, that a fair experiment be made which of those two methods of voting is to be preferred:

*Be it Ordained*, That as soon as may be, after the termination of the present war between the United States of America and Great Britain, an act or acts be passed by the Legislature of this State, for causing all elections, thereafter to be held in this State, for Senators and Representatives in Assembly, to be by ballot, and directing the manner in which the same shall be conducted: *And Whereas* it is possible, that after all the care of the Legislature in framing the said act or acts, certain inconveniences and mischiefs, unforeseen at this day, may be found to attend the said mode of electing by ballot:

*It is further Ordained*, That if after a full and fair experiment shall be made of voting by ballot aforesaid, the same shall be found less conducive to the safety or interest of the State than the method of voting *viva voce*, it shall be lawful and constitutional for the Legislature to abolish the same; provided two-thirds of the members present in each House respectively shall concur therein; and further, that during the continuance of the present war, and until the Legislature of this State shall provide for the election of Senators and Representatives in Assembly by ballot, the said elections shall be made *viva voce*.

VII. That every male inhabitant, of full age, who shall have personally resided within one of the counties of this State for six months

immediately preceding the day of election, shall, at such election, be entitled to vote for Representative of the said county in Assembly; if, during the time aforesaid, he shall have been a freeholder, possessing a freehold of the value of twenty pounds, within the said county, or have rented a tenement therein of the yearly value of forty shillings, and been rated, and actually paid taxes to this State: provided always, that every person who now is a freeman of the city of Albany, or who was made a freeman of the city of New York, on or before the fourteenth day of October, in the year of our Lord one thousand seven hundred and seventy-five, and shall be actually and usually resident in the said cities respectively, shall be entitled to vote for Representatives in Assembly, within his said place of residence.

VIII. That every elector, before he is admitted to vote, shall, if required by the returning officer, or either of the inspectors, take an oath, or if of the people called Quakers, an affirmation, of allegiance to the State.

IX. That the Assembly thus constituted, shall choose their own Speaker, be judges of their own members, and enjoy the same privileges, and proceed in doing business in like manner as the Assemblies of the Colony of New York of right formerly did; and that a majority of the said members shall, from time to time, constitute a House to proceed upon business.

X. And this Convention doth further, in the name, and by the authority of the good people of this State, ordain, determine and declare, that the Senate of the State of New York shall consist of twenty-four freeholders, to be chosen out of the body of the freeholders, and that they be chosen by the freeholders of this State, possessed of freeholds of the value of one hundred pounds, over and above all debts charged thereon.

XI. That the members of the Senate be elected for four years, and immediately after the first election, they be divided by lot into four classes, six in each class, and numbered one, two three and four; that the seats of the members of the first class shall be vacated at the expiration of the first year; the second class the second year; and so on continually, to the end, that the fourth part of the Senate, as nearly as possible, may be annually chosen.

XII. That the election of Senators shall be after this manner: that so much of this State as is now parcelled into counties, be divided into four great districts; the southern district to comprehend the city and county of New York, Suffolk, Westchester, Kings, Queens and Richmond counties; the middle district to comprehend the counties of



Dutchess, Ulster and Orange; the western district the city and county of Albany, and Tryon county; and the eastern district, the counties of Charlotte, Cumberland and Gloucester. That the Senators shall be elected by the freeholders of the said districts, qualified as aforesaid in the proportions following, to wit: in the southern district nine; in the middle district six; in the western district six; and in the eastern district three.

*And be it Ordained,* That a census shall be taken as soon as may be, after the expiration of seven years from the termination of the present war, under the direction of the Legislature; and if on such census it shall appear, that the number of Senators is not justly proportioned to the several districts, that the Legislature adjust the proportion as near as may be, to the number of freeholders qualified as aforesaid in each district. That when the number of electors, within any of the said districts, shall have increased one-twenty-fourth part of the whole number of electors, which by the said census, shall be found to be in this State, an additional Senator shall be chosen by the electors of such district. That a majority of the number of Senators to be chosen as aforesaid, shall be necessary to constitute a Senate sufficient to proceed upon business; and that the Senate shall in like manner with the Assembly, be the judges of its own members.

*And be it Ordained,* That it shall be in the power of the future Legislatures of this State, for the convenience and advantage of the good people thereof, to divide the same into such further and other counties and districts as shall to them appear necessary.

XIII. And this Convention doth further, in the name and by the authority of the good people of this State, ordain, determine and declare, that no member of this State shall be disfranchised or deprived of any of the rights or privileges secured to the subjects of this State, by this Constitution, unless by the law of the land, or the judgment of his peers.

XIV. That neither the Assembly nor the Senate shall have power to adjourn themselves for any longer time than two days, without the mutual consent of both.

XV. That whenever the Assembly and Senate disagree, a conference shall be held in the presence of both, and be managed by committees to be by them respectively chosen by ballot. That the doors, both of the Senate and Assembly shall at all times be kept open to all persons, except when the welfare of the State shall require their debates to be kept secret. And the journals of all their proceedings shall be kept in the manner heretofore accustomed by the General

Assembly of the Colony of New York, and except such parts as they shall as aforesaid respectively determine not to make public, be from day to day (if the business of the Legislature will permit) published.

XVI. It is nevertheless provided, that the number of Senators shall never exceed one hundred, nor the number of Assembly three hundred; but that whenever the number of Senators shall amount to one hundred, or of the Assembly to three hundred, then and in such case, the Legislature shall from time to time thereafter, by laws for that purpose, apportion and distribute the said one hundred Senators and three hundred Representatives, among the great districts and counties of this State in proportion to the number of their respective electors; so that the representation of the good people of this State, both in the Senate and Assembly, shall forever remain proportionate and adequate.

XVII. And this Convention doth further, in the name and by the authority of the good people of this State, ordain, determine and declare, that the supreme executive power and authority of this State, shall be vested in a Governor; and that statedly once in every three years, and as often as the seat of government shall become vacant, a wise and discreet freeholder of this State shall be by ballot elected Governor by the freeholders of this State, qualified as before described to elect Senators; which elections shall be always held at the times and places of choosing Representatives in Assembly for each respective county, and that the person who hath the greatest number of votes within the said State shall be Governor thereof.

XVIII. That the Governor shall continue in office three years, and shall by virtue of his office be General and Commander-in-Chief of all the militia, and Admiral of the navy of this State; that he shall have power to convene the Assembly and Senate on extraordinary occasions; to prorogue them from time to time, provided such prorogations shall not exceed sixty days in the space of any one year; and, at his discretion, to grant reprieves and pardons to persons convicted of crime, other than treason or murder, in which he may suspend the execution of the sentence until it shall be reported to the Legislature at their subsequent meeting; and they shall either pardon or direct the execution of the criminal, or grant a further reprieve.

XIX. That it shall be the duty of the Governor to inform the Legislature, at every session, of the condition of the State, so far as may respect his department; to recommend such matters to their consideration as shall appear to him to concern its good government, welfare and prosperity; to correspond with the Continental Congress, and other States; to transact all necessary business with the officers of govern-

ment, civil and military; to take care that the laws are faithfully executed, to the best of his ability, and to expedite all such measures as may be resolved upon by the Legislature.

XX. That a Lieutenant-Governor shall at every election of a Governor, and as often as the Lieutenant-Governor shall die, resign, or be removed from office, be elected in the same manner with the Governor, to continue in office until the next election of a Governor; and such Lieutenant Governor shall, by virtue of his office, be President of the Senate, and, upon an equal division, have a casting voice in their decisions, but not vote on any other occasion.

And in case of the impeachment of the Governor, or his removal from office, death, resignation, or absence from the State, the Lieutenant-Governor shall exercise all the power and authority appertaining to the office of Governor, until another be chosen, or the Governor absent or impeached, shall return or be acquitted: provided, that when the Governor shall, with the consent of the Legislature, be out of the State, in time of war, at the head of a military force thereof, he shall still continue in his command of all the military force of this State, both by sea and land.

XXI. That whenever the government shall be administered by the Lieutenant-Governor, or he shall be unable to attend as President of the Senate, the Senators shall have power to elect one of their own members to the office of President of the Senate, which he shall exercise *pro hac vice*; and if during such vacancy of the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resign, die, or be absent from the State, the President of the Senate shall in like manner as the Lieutenant-Governor administer the government, until others shall be elected by the suffrage of the people at the succeeding election.

XXII. And this Convention doth further, in the name and by the authority of the good people of this State, ordain, determine and declare, that the Treasurer of this State shall be appointed by act of the Legislature, to originate with the Assembly; provided, that he shall not be elected out of either branch of the Legislature.

XXIII. That all officers, other than those, who by this Constitution are directed to be otherwise appointed, shall be appointed in the manner following, to wit: The Assembly shall, once in every year, openly nominate and appoint one of the Senators from each great district, which Senators shall form a Council for the appointment of the said officers, of which the Governor, for the time being, or the Lieutenant-Governor, or the President of the Senate, when they shall respectively administer

the government, shall be president, and have a casting voice, but no other vote; and with the advice and consent of the said Council, shall appoint all the said officers; and that a majority of the said council be a quorum; and further, the said Senators shall not be eligible to the said Council for two years successively.

XXIV. That all military officers be appointed during pleasure; that all commissioned officers, civil and military, be commissioned by the Governor, and that the chancellor, judges of the supreme court, and first judge of the county court, in every county, hold their offices during good behaviour, or until they shall have respectively attained the age of sixty years.

XXV. That the chancellor and judges of the supreme court shall not at the same time hold any other office, excepting that of Delegate to the General Congress, upon special occasions; and that the first judges of the county courts in the several counties, shall not at the same time hold any other office, excepting that of Senator or Delegate to the General Congress. But if the chancellor, or either of the said judges, be elected or appointed to any other office, excepting as is before excepted, it shall be at his option in which to serve.

XXVI. That sheriffs and coroners be annually appointed, and that no person shall be capable of holding either of the said offices more than four years successively, nor the sheriff, of holding any other office at the same time.

XXVII. *And be it further Ordained*, That the register and clerks in chancery be appointed by the chancellor; the clerks of the supreme court by the judges of the said court; the clerk of the court of probates by the judge of the said court; and the register and marshal of the court of admiralty, by the judge of the admiralty. The said marshal, registers and clerks to continue in office during the pleasure of those by whom they are to be appointed as aforesaid.

And that all attorneys, solicitors and counsellors at law, hereafter to be appointed, be appointed by the court, and licensed by the first judge of the court in which they shall respectively plead or practise, and be regulated by the rules and orders of the said courts.

XXVIII. *And be it further Ordained*, That where, by this Convention, the duration of any office shall not be ascertained, such office shall be construed to be held during the pleasure of the council of appointment: provided that new commissions shall be issued to the judges of the county courts, (other than to the first judge,) and to justices of the peace, once at least in every three years.

XXIX. That town clerks, supervisors, assessors, constables and collectors, and all other officers heretofore eligible by the people, shall always continue to be so eligible, in the manner directed by the present or future acts of the Legislature.

That loan officers, county treasurers and clerks of the supervisors, continue to be appointed in the manner directed by the present or future acts of the Legislature.

XXX. That Delegates to represent this State in the General Congress of the United States of America, be annually appointed as follows, to wit: The Senate and Assembly shall each openly nominate as many persons as shall be equal to the whole number of Delegates to be appointed; after which nomination they shall meet together, and those persons named in both lists shall be Delegates. And out of those persons whose names are not in both lists, one-half shall be chosen by the joint ballot of the Senators and Members of Assembly, so met together as aforesaid.

XXXI. That the style of all laws shall be as follows, to wit: "Be it enacted by the People of the State of New York, represented in Senate and Assembly." And that all writs and other proceedings shall run in the name of "the People of the State of New York," and be tested in the name of the chancellor, or chief judge of the court from whence they shall issue.

XXXII. And this Convention doth further in the name and by the authority of the good people of this State, ordain, determine and declare, that a court shall be instituted for the trial of impeachments and correction of errors, under the regulations which shall be established by the Legislature; and to consist of the President of the Senate, for the time being, and the Senators, chancellor and judges of the supreme court, or the major part of them; except that when an impeachment shall be prosecuted against the chancellor, or either of the judges of the supreme court, the person so impeached, shall be suspended from exercising his office until his acquittal. And, in like manner, when an appeal from a decree in equity shall be heard, the chancellor shall inform the court of the reasons of his decree, but shall not have a voice in the final sentence. And if the cause to be determined shall be brought up by a writ of error on a question of law, on a judgment in the supreme court, the judges of that court shall assign the reasons of such their judgment, but shall not have a voice for its affirmance or reversal.

XXXIII. That the power of impeaching all officers of the State, for mal and corrupt conduct in their respective offices, be vested in the

Representatives of the people in Assembly; but that it shall always be necessary that two-third parts of the members present shall consent to, and agree in, such impeachment. That previous to the trial of every impeachment, the members of the said court shall respectively be sworn, truly and impartially, to try and determine the charge in question according to evidence; and that no judgment of the said court shall be valid, unless it shall be assented to by two-third parts of the members then present; nor shall it extend farther than to removal from office, and disqualification to hold or enjoy any place of honour, trust or profit, under this State. But the party so accused, shall be, nevertheless, liable and subject to indictment, trial, judgment and punishment, according to the laws of the land.

XXXIV. *And it is further Ordained*, That in every trial on impeachment or indictment for crimes or misdemeanors, the party impeached or indicted shall be allowed counsel, as in civil actions.

XXXV. And this Convention doth further, in the name, and by the authority of the good people of this State, ordain, determine, and declare, that such parts of the common law of England, and of the statute law of England and Great Britain, and of the acts of the Legislature of the Colony of New York, as together did form the law of the said Colony on the nineteenth day of April, in the year of our Lord one thousand seven hundred and seventy-five, shall be and continue the law of this State; subject to such alterations and provisions as the Legislature of this State shall, from time to time, make concerning the same. That such of the said acts as are temporary, shall expire at the times limited for their duration respectively.

That all such parts of the common law, and all such of the said statutes and acts aforesaid, or parts thereof, as may be construed to establish or maintain any particular denomination of Christians or their ministers, or concern the allegiance heretofore yielded to, and the supremacy, sovereignty, government or prerogatives, claimed or exercised by the King of Great Britain and his predecessors, over the Colony of New York and its inhabitants, or are repugnant to this Constitution, be, and they hereby are, abrogated and rejected.

And this Convention doth further ordain, that the resolves or resolutions of the Congresses of the Colony of New York, and of the Convention of the State of New York, now in force, and not repugnant to the government established by this Constitution, shall be considered as making part of the laws of this State; subject, nevertheless, to such alterations and provisions as the Legislature of this State may, from time to time, make concerning the same.

XXXVI. *And be it further Ordained*, That all grants within this State, made by the King of Great Britain, or persons acting under his authority, after the fourteenth day of October, one thousand seven hundred and seventy-five, shall be null and void. But that nothing in this Constitution contained, shall be construed to affect any grants of land within this State, made by the authority of the said King or his predecessors, or to annul any charters to bodies politic, by him or them, or any of them, made prior to that day. And that none of the said charters shall be adjudged to be void by reason of any non-user or misuser of any of their respective rights or privileges, between the nineteenth day of April, in the year of our Lord one thousand seven hundred and seventy-five, and the publication of this Constitution. And further, that all such of the officers described in the said charters respectively, as by the terms of the said charters were to be appointed by the Governor of the Colony of New York, with or without the advice and consent of the Council of the said King in the said Colony, shall henceforth be appointed by the Council established by this Constitution for the appointment of officers in this State, until otherwise directed by the Legislature.

XXXVII. AND WHEREAS it is of great importance to the safety of this State, that peace and amity with the Indians within the same, be at all times supported and maintained: AND WHEREAS the frauds too often practised towards the said Indians in contracts made for their lands, have in divers instances been productive of dangerous discounts and animosities:

*Be it Ordained*. That no purchases or contracts for the sale of lands made since the fourteenth day of October, in the year of our Lord one thousand seven hundred and seventy-five, or which may hereafter be made with or of the said Indians, within the limits of this State, shall be binding on the said Indians, or deemed valid, unless made under the authority and with the consent of the Legislature of this State.

XXXVIII. AND WHEREAS we are required by the benevolent principles of rational liberty, not only to expel civil tyranny, but also to guard against that spiritual oppression and intolerance wherewith the bigotry and ambition of weak and wicked priests and princes have scourged mankind: This Convention doth further, in the name and by the authority of the good people of this State, ordain, determine and declare, that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever hereafter be allowed within this State to all mankind; provided that the liberty of conscience hereby granted shall not be so construed as to

excuse acts of licentiousness or justify practices inconsistent with the peace or safety of this State.

XXXIX. AND WHEREAS the ministers of the gospel are by their profession, dedicated to the service of God and the cure of souls, and ought not to be diverted from the great duties of their function: Therefore, no minister of gospel, or priest of any denomination whatsoever, shall at any time hereafter, under any pretence or description whatsoever, be eligible to, or capable of holding, any civil or military office or place within this State.

XL. AND WHEREAS it is of the utmost importance to the safety of every State, that it should always be in a condition of defence; and it is the duty of every man who enjoys the protection of society, to be prepared and willing to defend it: This Convention therefore in the name and by the authority of the good people of this State, doth ordain, determine and declare, that the militia of this State at all times hereafter, as well in peace as in war, shall be armed and disciplined and in readiness for service. That all such of the inhabitants of this State, being of the people called Quakers, as from scruples of conscience may be averse to the bearing of arms, be therefrom excused by the Legislature, and do pay to the State such sums of money in lieu of their personal service, as the same may, in the judgment of the Legislature, be worth; and that a proper magazine of warlike stores, proportionate to the number of inhabitants, be forever hereafter at the expense of this State; and by acts of the Legislature, established, maintained and continued in every county in this State.

XLI. And this Convention doth further ordain determine and declare in the name and by the authority of the good people of this State, that trial by jury in all cases in which it hath heretofore been used in the colony of New York, shall be established and remain inviolate forever. And that no acts of attainder shall be passed by the Legislature of this State, for crimes other than those committed before the termination of the present war; and that such acts shall not work a corruption of blood. And further, that the Legislature of this State shall, at no time hereafter, institute any new court or courts but such as shall proceed according to the course of the common law.

XLII. And this Convention doth further, in the name and by the authority of the good people of this State, ordain, determine and declare, that it shall be in the discretion of the Legislature to naturalize all such persons, and in such manner as they shall think proper, provided all such of the persons so to be by them naturalized, as being born in parts beyond sea, and out of the United States of America,



shall come to settle in, and become subjects of this State, shall take an oath of allegiance to this State, and abjure and renounce all allegiance and subjection to all and every foreign king, prince, potentate and State, in all matters ecclesiastical as well as civil.

By order,

LEONARD GANSEVOORT, *Pres. pro. tem.*

(*Journals of the Provincial Congress*, 1:892, 894-98)

## PROCLAMATION OF GENERAL BURGOYNE

June 29, 1777

*By John Burgoyne, Esq., Lieutenant-General of his Majesty's armies in America, Colonel of the Queen's regiment of light dragoons, Governor of Fort William, in North Britain, one of the Representatives of the Commons of Great Britain in Parliament, and commanding an army and fleet employed on an expedition from Canada, &c., &c., &c.,*

The forces entrusted to my command are designed to act in concert, and upon a common principle, with the numerous armies and fleets which already display in every quarter of America, the power, the justice, and when properly sought, the mercy of the King.

The cause in which the British arms are thus exerted, applies to the most affecting interests of the human heart; and the military servants of the crown, at first called forth for the sole purpose of restoring the rights of the constitution, now combine with love of their country, and duty to their sovereign, the other extensive incitements which spring from a due sense of the general privileges of mankind. To the eyes and ears of the temperate part of the public, and to the breasts of suffering thousands in the provinces, be the melancholy appeal, whether the present unnatural rebellion has not been made a foundation for the completest system of tyranny that ever God, in his displeasure, suffered for a time to be exercised over a forward and stubborn generation.

Arbitrary imprisonment, confiscation of property, persecution and torture, unprecedented in the inquisitions of the Romish church, are among the palpable enormities that verify the affirmative. These are inflicted by assemblies and committees, who dare to profess themselves friends to liberty, upon the most quiet subjects, without distinction of age or sex, for the sole crime, often for the sole suspicion, of having adhered in principle to the government under which they were born, and to which, by every tie, divine and human, they owe allegiance. To

consummate these shocking proceedings, the profanation of religion is added to the most profligate prostitution of common reason; the consciences of men are set at naught; and multitudes are compelled not only to bear arms but also to swear subjection to an usurpation they abhor.

Animated by these considerations; at the head of troops in the full powers of health, discipline, and valor; determined to strike where necessary, and anxious to spare where possible, I, by these presents, invite and exhort all persons, in all places where the progress of this army may point, and by the blessing of God I will extend it far, to maintain such a conduct as may justify me in protecting their lands, habitations, and families.

The intention of this address is to hold forth security, not depredation to the country. To those whom spirit and principle may induce to partake of the glorious task of redeeming their countrymen from dungeons, and re-establishing the blessings of legal government, I offer encouragement and employment; and upon the first intelligence of their associations, I will find means to assist their undertakings. The domestic, the industrious, the infirm, and even the timid inhabitants, I am desirous to protect, provided they remain quietly at their houses; that they do not suffer their cattle to be removed, nor their corn or forage to be secreted or destroyed; that they do not break up their bridges or roads; nor by any other act, directly or indirectly, endeavor to obstruct the operations of the King's troops, or supply or assist those of the enemy. Every species of provision brought to my camp, will be paid for at an equitable rate, and in solid coin.

In consciousness of Christianity, my royal master's clemency, and the honor of soldiership, I have dwelt upon this invitation, and wished for more persuasive terms to give it impression; and let not people be led to disregard it, by considering their distance from the immediate situation of my camp. I have but to give stretch to the Indian forces under my direction, and they amount to thousands, to overtake the hardened enemies of Great Britain and America; I consider them the same wherever they may lurk.

If, notwithstanding these endeavors, and sincere inclinations to effect them, the frenzy of hostility should remain, I trust I shall stand acquitted in the eyes of God and men in denouncing and executing the vengeance of the State against the wilful outcasts. The messengers of justice and of wrath await them in the field; and devastation, famine, and every concomitant horror that a reluctant but indispensable prosecution of military duty must occasion, will bar the way to their return.

(Moore. *Diary of the Revolution* (1876), page 454-56.

Also published in *Gentlemen's Magazine*, 47:359-60, and elsewhere)

## A PATRIOT'S BURLESQUE ON BURGOYNE'S PROCLAMATION

July 2, 1777

*To John Burgoyne, Esquire, Lieutenant-General of his Majesty's armies in America. Colonel of the Queen's regiment of light dragoons. Governor of Fort William in North Britain, one of the Representatives of the Commons of Great Britain, and commanding an army and fleet employed on an expedition from Canada, &c., &c.. &c.*

Most High, Most Mighty, Most Puissant, and Sublime General.

When the forces under your command arrived at Quebec, in order *to act in concert and upon a common principle with the numerous fleets and armies which already display in every quarter of America the justice and mercy of your King*, we the reptiles of America, were struck with unusual trepidation and astonishment. But what words can express the plenitude of our horror when the *Colonel of the Queen's regiment of light dragoons* advanced towards Ticonderoga. The mountains shook before thee, and the trees of the forest bowed their lofty heads; the vast lakes of the north were chilled at thy presence, and the mighty cataracts stopped their tremendous career, and were suspended in awe at thy approach. Judge, then, *oh ineffable Governor of Fort William in North Britain*, what must have been the terror, dismay, and despair that overspread this paltry continent of America, and us its wretched inhabitants. Dark and dreary, indeed, was the prospect before us, till, like the sun in the horizon, your most gracious, sublime, and irresistible proclamation opened the doors of mercy, and snatched us, as it were, from the jaws of annihilation.

We foolishly thought, blind as we were, that your gracious master's fleets and armies were come to destroy us and our liberties; but we are happy in hearing from you (an who can doubt what you assert?) that they were *called forth for the sole purpose of restoring the rights of the constitution to a froward and stubborn generation*.

And is it for this, *oh sublime lieutenant-general*, that you have given yourself the trouble to cross the wide Atlantic, and with incredible fatigue traverse uncultivated wilds? And we ungratefully refuse the proffered blessing? To restore the rights of the constitution you have called together an amiable host of savages, and turned them loose to scalp our women and children, and lay our country waste — this they have performed with their usual skill and clemency, and we yet remain insensible of the benefit and unthankful for so much goodness!

Our Congress have declared Independence, and our Assemblies, as your highness justly observes, have most *wickedly* imprisoned the avowed friends of that power with which they are at war, and most profanely compelled those, whose consciences will not permit them to fight, to pay some small part towards the expenses their country is at in supporting what we call a necessary defensive war. If we go on thus in our obstinacy and ingratitude, what can we expect but that you should, in your anger, *give a stretch to the Indian forces under your direction, amounting to thousands, to overtake and destroy us*; or which is ten times worse, that you should withdraw your fleets and armies and leave us to our own misery, without completing the benevolent task you have begun, *in restoring to us the rights of the constitution*.

We submit, we submit, *most puissant Colonel of the Queen's regiment of light dragoons, and Governor of Fort William in North Britain!* We offer our heads to the scalping knife and our bellies to the bayonet. Who can resist the force of your eloquence? Who can withstand the terror of your arms? The invitation you have made in the *consciousness of Christianity, your royal master's clemency, and the honor of soldiership*, we thankfully accept. The blood of the slain, the cries of injured virgins and innocent children, and the never-ceasing sighs and groans of starving wretches now languishing in the jails and prison ships of New York, call on us in vain, whilst your sublime proclamation is sounded in our ears. Forgive us, oh our country! Forgive us, dear posterity! Forgive us, all ye foreign powers who are anxiously watching our conduct in this important struggle, if we yield implicitly to the persuasive tongue of the most elegant *Colonel of her Majesty's regiment of light dragoons*.

Forbear then, thou magnanimous *lieutenant-general!* Forbear to denounce vengeance against us! Forbear to *give a stretch to those restorers of constitutional rights, the Indian forces under your direction*. — Let not the messengers of wrath await us in the field, and devastation, famine, and every concomitant horror, bar our return to the allegiance of a prince, who, by his royal will, would deprive us of every blessing of life, with all possible clemency.

We are *domestic*, we are *industrious*, we are *infirm and timid*; we shall remain quietly at home, and not remove our cattle, or corn, or forage, in hopes that you will come at the head of troops in full powers of health, discipline and valor, and take charge of them for yourselves. Behold our wives and daughters, our flocks and herds, our goods and chattels.—Are they not at the mercy of our Lord the King, and of his *Lieutenant-general, member of the House of Commons, and governor of Fort William in North Britain*.

(Moore, *Diary of the Revolution* (1876), page 457–59.)

PROCLAMATION OF THE ELECTION OF THE FIRST  
GOVERNOR

July 30, 1777

"In Council of Safety for the State of New York,  
July 30, 1777.

*"A Proclamation.*

"WHEREAS His Excellency George Clinton, has been duly elected governor of this State of New York, and hath this day qualified himself for the execution of his office, by taking in this Council the oaths required by the constitution of this State, to enable him to exercise his said office; This Council doth therefore, hereby, in the name and by the authority of the good people of this State, proclaim and declare the said George Clinton, Esqr. Governor, General and Commander-in-Chief of all the militia, and Admiral of the navy of this State, to whom the good people of this State are to pay all due obedience, according to the laws and constitution thereof.

"By order of the Council of Safety.

"PIERRE VAN CORTLANDT, *President.*

*"God save the people."*

*Ordered*, That Mr John Holt immediately print 500 copies of the said proclamation.

*Ordered*, That the said proclamation be made and published by the sheriff of Ulster county, at or near the court house in Kingston, in Ulster county, at six o'clock this afternoon.

*Resolved and ordered*, That Capt. Evert Bogardus and Capt. John Elmendorph do cause the companies of militia under their respective commands to appear at the court house in Kingston, at six o'clock this afternoon, properly armed and accoutered, at which time and place His Excellency George Clinton will be proclaimed Governor of this State.

*(Journals of the Provincial Congress, 1:1021-22)*

## COMMISSIONERS FOR DETECTING AND DEFEATING CONSPIRACIES

February 5, 1778

WHEREAS the late convention did appoint a board of commissioners for the purpose of inquiring into detecting and defeating all conspiracies which might be formed in this State against the liberties of *America*

*And Whereas*, by reason of the present invasion of this State and of the disaffection of sundry of the inhabitants of the same, it will be expedient to continue the said board which experience hath shewn to be of great use and importance. To the end therefore that the State and the peace of the same maybe efectually guarded and secured against the wicked machinations and designs of the foreign and domestic foes thereof

*Be it enacted by the People of the State of New York represented in Senate and Assembly and it is hereby enacted by the authority of the same* That the Governor, lieutenant governor, or president of the senate who for the time being shall administer the government of this State be and he hereby is authorized and empowered from time to time to appoint by commission by and with the advice and consent of the council of appointment so many persons not exceeding ten as he shall think proper to be commissioners for the Purposes aforesaid and that the said commissioners or any three of them be and they hereby are authorized and empowered to do and perform the several acts matters and things herein after mentioned viz: that the said commissioners or any three of them shall be and they hereby are authorized and empowered to send for persons and papers and administer oaths and to apprehend and confine or cause to be apprehended and confined in such manner and under such restrictions and limitations as to them shall appear necessary for the public safety all persons whose going at large shall in the judgment of the said commissioners or any three of them appear dangerous to the safety of this State. To take bonds and recognizances from time to time to the people of this State for the good behavior safe custody or appearance of such of the said persons and of all others now confined for the like cause as they may think proper in such sums and upon such conditions as unto them shall appear expedient; and the said bonds and recognizances if forfeited to prosecute or to cancel and release upon such terms and conditions and to discharge from confinement any of the said persons absolutely and without any terms or conditions as they may think proper *and also* from

time to time to make such provision for the safe custody and comfortable subsistence of all persons who may from time to time be so confined as aforesaid in such manner as they may think proper provided always that by reason or colour of any thing herein contained the said commissioners or any of them shall not be empowered to inflict any corporal punishment upon any or either of the said persons confined as aforesaid.

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*And be it further enacted by the authority aforesaid* that the said commissioners shall keep regular minutes of all their proceedings in order that the same may be submitted if required to the consideration of the senate or assembly or of such person or persons as shall be for that purpose appointed; and that each and every of the said commissioners do receive for every day in which he shall be actually employed in the business aforesaid the sum of twenty shillings, for his trouble and expence, in attending upon the same.

*And be it further enacted by the authority aforesaid* that this act shall continue in force, until the first day of *November*, in the year of our Lord one thousand seven hundred and seventy eight, and no longer.

(*Laws of the State of New York*. 1:8-10)

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## NEW YORK RATIFIES THE ARTICLES OF CONFEDERATION

February 6, 1778

[The Articles of Confederation preceded the following measure]

*Be it enacted and declared by the People of the State of New-York represented in Senate and Assembly and it is hereby enacted and declared by the authority of the same* That the said several above recited articles of confederation and all and singular the clauses, matters and things in the same contained be and the same are hereby fully accepted, received and approved of, for and in behalf of the people of this State.

And to the end that the same may with all due form and solemnity be ratified and confirmed by this State in congress.

*Be it further enacted by the authority aforesaid* that the delegates of this State in the said congress of the United States of America or any two of the said delegates shall be and hereby are fully authorized empowered and required wholly entirely and absolutely for and in behalf of the people of this State and in such manner and under such formalities as shall be determined in congress to ratify and confirm all

and every of the said above recited articles of confederation and all and singular the clauses matters and things in the same contained and that on exemplification of this act tested by his excellency the governor, or the lieutenant governor, or president of the senate of this State for the time being administering the government and authenticated with the great seal of this State shall be full and conclusive evidence of this act provided always that nothing in this act or the said above recited articles of confederation contained nor any act matter or thing to be done and transacted by the delegates of this State in congress in and concerning the premises or any part thereof shall bind or oblige or be construed deemed or esteemed to bind or oblige the government legislature people subjects inhabitants or residents of this State until the said above recited articles of confederation shall have been duly ratified and confirmed by or in behalf of all the said United States in congress assembled any thing herein or in the said above recited articles of confederation contained to the contrary thereof in anywise notwithstanding.

(*Laws of the State of New York*, 1:1-8)

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## ACT TO PROCURE SHOES AND STOCKINGS FOR THE NEW YORK TROOPS

March 19, 1778

WHEREAS a number of shoes and stockings are wanted for the use of the troops already raised and to be raised under the direction of this State.

*Be it enacted by the People of the State of New-York represented in Senate and Assembly and it is hereby enacted by the authority of the same* That the supervisors of each respective county within this State, hereinafter mentioned shall cause to be procured within their said county the number of good strong shoes made of neats leather and good strong woollen stockings annexed to each respective county *viz.* The County of *Westchester* one hundred and twenty-five pair of stockings and one hundred and four pair of shoes. The county of *Dutchess* four hundred and fifty pair of stockings and three hundred and seventy five pair of shoes. The county of *Orange* two hundred and fifty pair of stockings and two hundred and eight pair of shoes. The county of *Ulster* three hundred and seventy-five pair of stockings and three hundred and thirteen pair of shoes. The county of *Albany* eight hundred and fifty pair of stockings and seven hundred and eight pair of shoes,



and the county of *Tryon* three hundred and fifty pair of stockings, and two hundred and ninety-two pair of shoes, amounting in the whole to two thousand four hundred pair of stockings and two thousand pair of shoes to be collected in manner following *viz.* That the supervisors of the several cities towns manors, districts and precincts shall meet on the second Tuesday in *April* next at the usual places of supervisors meetings in the respective counties (except in the counties of *Westchester* and *Ulster* in the former of which the supervisors shall meet at the house of *John Furman* in *Bedford*, and in the latter at the house of *Ann DuBois* at the *New Paltz*) and there apportion the quota of shoes and stockings which the several cities towns boroughs, manors precincts and districts within their respective counties shall furnish; and for the more equal and convenient collecting the same.

*It is hereby enacted by the authority aforesaid* That the said several supervisors in their respective wards towns districts and precincts shall within convenient time after the several quotas shall have been apportioned as aforesaid, deliver to the assessors of the respective wards, towns manors districts or precincts an account of the number of pair of shoes and stockings at which the quota of the said ward town manor district or precinct shall have been so apportioned; and the assessors thereupon shall determine the number of pair of shoes and stockings which the inhabitants of the said ward, town manor district or precinct ought respectively to furnish and who in their judgment can best spare or procure the same and shall nominate and appoint in each respective city town borough manor precinct and district, a number of persons not less than three as collectors of shoes and stockings who are hereby authorized and required to collect from the several inhabitants the number of shoes and stockings which by the assessors shall have been so determined on as aforesaid and the said inhabitants shall be allowed for every pair of good leather shoes with which they shall severally furnish the collectors the sum of sixteen shillings and for every pair of good woollen stockings the sum of fourteen shillings; and in case any of the said inhabitants shall neglect or refuse to furnish the said collectors with the shoes or stockings they shall be directed so to furnish them with, within thirty days after such shoes or stockings shall be demanded by the collectors appointed as aforesaid the delinquents shall for such offence forfeit the sum of ten dollars for every pair of shoes and ten dollars for every pair of stockings he she or they shall so neglect or refuse to furnish as aforesaid, to be recovered in a summary way before any one Justice of the peace within the said county with costs of suit by anyone of the collectors appointed as aforesaid within the city town borough manor precinct or district where the said

offence shall have been committed; which said fines when recovered shall be applied by the collectors aforesaid to the purchase of shoes and stockings for the use of the troops before mentioned, and the said collectors shall deposit the shoes and stockings so to be collected in such place or places as the supervisor of the ward town manor district or precinct in which they were collected shall direct to be by him delivered to *Peter T. Curtenius*, Esq. commissary to purchase cloathing for this State or such person or persons as he shall authorize to receive the same, who is hereby directed to pay the several supervisors for so many pair of shoes and stockings as he shall receive from them respectively at and after the rates and prices as above mentioned together with one shilling for every pair of shoes and one shilling for every pair of stockings which he shall receive as aforesaid which said monies shall be paid by the several supervisors to the several collectors to enable them to pay for the shoes and stockings they shall have severally collected and as a compensation for their trouble.

(*Laws of the State of New York*, 1:24-25)

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## ACT FOR THE FORFEITURE AND SALE OF THE PROPERTY OF LOYALISTS

October 22, 1779

WHEREAS during the present unjust and cruel war waged by the king of Great Britain against this State, and the other United States of America, divers persons holding or claiming property within this State have voluntarily been adherent to the said King his fleets and armies, enemies to this State and the said other United States, with intent to subvert the government and liberties of this State and the said other United States, and to bring the same in subjection to the crown of Great Britain by reason whereof the said persons have severally justly forfeited all right to the protection of this State and to the benefit of the laws under which said property is held or claimed

*And whereas* the public justice and safety of this State absolutely require that the most notorious offenders should be immediately hereby convicted and attainted of the offense aforesaid in order to work a forfeiture of their respective estates and vest the same in the people of this State. *And whereas* the Constitution of this State hath authorized the legislature to pass acts of attainder, for crimes committed before the termination of the present war.

I. *Be it therefore enacted by the People of the State of New York represented in Senate and Assembly and it is hereby enacted by the authority of the same*, That, John Murray earl of Dunmore formerly governor of the colony of New York, William Tryon Esquire late governor of the said colony, John Watts, Oliver DeLancey, Hugh Wallace, Henry White [and fifty-four other names] be and each of them are hereby severally declared to be *ipso facto* convicted and attainted of the offense aforesaid, and that all and singular the estate both real and personal held or claimed by them the said persons severally and respectively, whether in possession, reversion or remainder, within this State, on the day of the passing of this act, shall be and hereby is declared to be forfeited to, and vested in the people of this State.

II. *And be it further enacted by the authority aforesaid*, That the said several persons hereinbefore particularly named shall be and hereby are declared to be forever banished from this State, and each and every of them who shall at any time hereafter be found in any part of this State, shall be and are hereby adjudged and declared guilty of felony, and shall suffer death as in cases of felony without benefit of clergy.

*And to the end* That for the purpose aforesaid convictions and attainder for the offense aforesaid may in pursuance of this act, be had against other offenders than those hereinbefore particularly named.

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IX. *And be it further enacted by the authority aforesaid*, That besides the several matters by the law of England declared to be evidence and overt acts of high treason in adhering to the king's enemies, and which are hereby declared to be evidence and overt acts of high treason in adhering to the enemies of the people of this State as sovereign thereof, the following matters shall be and are hereby declared to be evidence and overt acts of adhering to the enemies of the people of this State, whereon and for which persons may in pursuance of this act be indicted and convicted for the offence aforesaid, that is to say, being at any time since the ninth day of July in the year of our Lord one thousand seven hundred and seventy six (the day of the declaration of the independence of this State within the same) in any part of the United States, not in the power or possession of the fleets or armies of the king of Great Britain, and afterwards voluntarily withdrawing to any place within the power or possession of the king of Great Britain, his fleets or armies; or being apprehended by order of or authority from the commander in chief of the armies of the said United States, or of or from the provincial congress, or conventions or

committees thereof, or councils of safety, of this State, or the commissioners above mentioned appointed for enquiring into detecting and defeating all conspiracies which may be formed in this State against the liberties of America, or county, district or precinct committees within this State, or by the supreme executive authority of this State, and confined within certain limits upon engagements by parole or otherwise, not to go beyond such limits, and breaking such engagements, and voluntarily escaping to any place in the power of the fleets or armies of Great Britain, or being so confined as aforesaid, and afterwards permitted by proper authority to go to any place in the power of the fleets or armies of Great Britain upon engagement to return within a certain given time, and not returning within such time but afterwards remaining at any place within the power of possession of the fleets or armies of Great Britain.

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XIV. *And be it further enacted by the authority aforesaid,* That the absolute property of all messuages lands tenements and hereditaments and of all rents royalties, franchises, prerogatives, priviledges, escheats, forfeitures, debts, dues duties and services by whatsoever names respectively the same are called and known in the law, and all right and title to the same, which next and immediately before the ninth day of July in the year of our Lord one thousand seven hundred and seventy six, did vest in, or belong, or was, or were due to the crown of Great Britain be, and the same and each and every of them hereby are declared to be, and ever since the said ninth day of July, in the year of our Lord one thousand seven hundred and seventy six, to have been, and forever after shall be vested in the people of this State, in whom the sovereignty and seignory thereof, are and were united and vested, on and from the said ninth day of July, in the year of our Lord one thousand seven hundred and seventy six.

XV. *And be it further enacted by the authority aforesaid,* That the person administring the government of this State for the time being shall be, and he is hereby authorized and required by and with the advice and consent of the council of appointment to appoint, during the pleasure of the said council, and commission under the great seal of this State, three commissioners of forfeitures for each of the great districts of this State. That the said commissioners or a majority of them shall be, and hereby are authorized and required from time to time, to sell and dispose of all real estate within their respective districts, forfeited or to be forfeited to the people of this State, at public vendue to the highest bidder or bidders, and in such parcels as they

shall from time to time think proper first giving eight weeks notice of each sale in one or more of the public news papers in this State containing a description as to the quantity by estimation of the lands or tenements to be sold, the situation thereof and the name or names of the person or persons by the conviction and attainder of whom the said lands or tenements are deemed to have become forfeited, and to make seal and deliver to the purchaser or purchasers respectively good and sufficient deeds and conveyances in the law, to vest the same in them respectively and their respective heirs and assigns upon such purchaser or purchasers respectively producing such receipt from the treasurer as is hereinafter mentioned. That every such purchaser and purchasers shall by virtue of such deeds and conveyances respectively be so vested in title seizin and possession of the lands and tenements so purchased as to have and maintain in his, her or their name or names any action for recovery thereof or damages relating thereto any actual seizin or possession thereof in any other person or persons notwithstanding. That every such deed and conveyance shall be deemed to operate as a warranty from the people of this State, to the purchaser or purchasers respectively and their respective heirs and assigns for the lands or tenements thereby respectively granted and conveyed against all claims titles and encumbrances whatsoever and such purchaser or purchasers respectively and their respective heirs or assigns shall in case of eviction have such remedy and relief upon such warranty in such manner as shall be more particularly provided for in such future act or acts of the legislature as are hereinafter mentioned

Provided that the said commissioner shall not be authorized to sell any lands in larger parcels than the quantity of five hundred acres in each parcel, that no more than one farm shall be included in one and the same sale, and that the sale shall be made in the county where the lands or tenements to be sold respectively lie.

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\* \* \*

XVII. *And whereas* in many instances, lands, the reversion or remainder whereof is or may become forfeited to this State, are possessed by tenants who have at considerable expence made or purchased the improvements on the same, and which tenants have constantly, uniformly and zealously, since the commencement of the present war, endeavored to defend and maintain the freedom and independence of these United States.

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XVIII. *Be it therefore further enacted by the authority aforesaid,* That where lands the reversion or remainder whereof is hereby or

may become forfeited to the people of this State, shall be possessed by any tenant of the character above described, and who, or whose ancestor, testator or intestate, shall have made or purchased the improvements on the same, they shall continue in possession at their former rents and be at liberty as heretofore to transfer their improvements untill the fee simple of the said lands shall be sold, they paying their respective rents and the present arrearages thereof in money equal to the current prices of the articles of produce in which their rents were heretofore paid, into the treasury of this State, if such rents were reserved and produced, or if reserved in money then in so much money as will be equivalent to the price of wheat at seven shillings per bushel. And that when the fee simple of the said lands shall be sold by the commissioners to be appointed in pursuance of this act, they shall cause such lands to be appraised by three appraisers, at what shall be deemed the then present value thereof, exclusive of the improvements thereon, at the time of appraising; That one of the said appraisers shall be elected by the commissioners, another by the tenant claiming the benefit intended by this clause, and the third by the said other two appraisers; That the said appraisers previous to the making of such appraisements, shall each of them take an oath, and which oath the said commissioners are hereby authorized to administer well and truly to appraise the lands held by such tenant at what shall be deemed the then value thereof, exclusive of the improvements thereon; and upon payment into the treasury by such tenant of the sum at which such lands shall be so appraised, within three months after the making of such appraisal, together with all arrearages of rents, then due thereon, the commissioners shall convey the lands so appraised to such tenant, in like manner as if such lands had been sold at publick vendue, and such tenant had appeared and been the highest bidder for the same Provided that no person being a tenant himself or of affinity or consanguinity to the tenant requiring such appraisal to be made, shall be an appraiser.

And in order that the commissioners may be enabled to determine who are the proper objects of the benefit intended by the foregoing clause.

XIX. *Be it further enacted by the authority aforesaid,* That no tenant shall be entitled to such benefit, unless he or she shall within one month after the same shall be required of him or her by the said commissioners, produced to them a certificate to be subscribed by at least twelve reputable inhabitants of the county of known and undoubted attachment to the American cause, to be approved of by

the commissioners, and which inhabitants shall severally declare upon oath the truth of the matter by them certified, before a justice of the peace of the county, who is hereby authorized to administer such oath, certifying that such tenant had constantly and uniformly since the said ninth day of July, one thousand seven hundred and seventy-six, demeaned himself, or herself, as a friend to the freedom and independence of the United States, and hath, as far forth as his or her circumstances would admit, taken an active and decisive part, to maintain and promote the same.

\* \* \*

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*XXIV. And be it further enacted by the authority aforesaid, That the treasurer of this State shall in his accounts of the monies arising by the sales of forfeited estates specify the names of the several persons to whom the several estates immediately before the forfeiture thereof were deemed to belong as the same shall appear from the certificate of the commissioners: To the end that when the legislature shall by future act or acts to be passed for the purpose, provide for the payment of the debts due from the said persons respectively the amount of the monies arising from the sales of their respective estates may with a greater ease be ascertained.*

*(Laws of the State of New York, 1:173-84)*

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## GOVERNOR CLINTON DEFENDS THE PATRIOTISM OF NEW YORK

November 24, 1781

Poughkeepsie, Novr. 24, 1781

Sir: During the Recess of the Legislature of this State I received several Letters from the Superintendent of Finance; which were laid before them in their late Session and the Result of their Deliberations were certain Resolutions, a copy whereof agreeable to their Request I do myself the Honor to transmit to your Excellency.

With the Legislature I may venture to pledge myself for the truth of the Facts contained in the Resolutions, & in the letter of the 15th of Feby. last. Indeed the essential facts, and from which the Inability of the State is necessarily to be inferred, namely the Deprivation of Commerce, the Loss and Devastation of Territory by the Enemy, the Usurpations of our Revolted Subjects and the subsistence of the Greater Part of the Army in the articles of the Bread and Forage for a series of Campaigns on credit, and the amount of the Debts thus

contracted still do, either to the Inhabitants individually, or to the State in consequence of receiving the Purchasing Officer's Certificates in payment for Taxes, are of such universal notoriety that I shall presume it unnecessary further to evince them; I shall, therefore, only observe in addition that there is more than a Hazard that we shall not be able without a change in our Circumstances long to maintain our Civil Government.

This State I flatter myself has for its spirit & Exertions in the War stood equal in point of reputation with any other in the Union, and notwithstanding our Misfortunes & Injuries and notwithstanding our Legislature is, with respect to the Individuals who compose it, fluctuating, I am confident the people at large and their Representatives in Gov't. still retain the same spirit, & are equally disposed to every possible Effort in the Common Cause. I mention this, lest it be supposed that we were sinking under our Distresses, or were attendg to our particular interest without a due Regard to the Gen'l Good. I trust there can be no higher Evidence of a sincere Disposition in the State to promote the common interests, than the alacrity with which they passed the law for grant'g to Congress a Duty on Imports, and their present Proffer to accede to any propositions which may be made for rendering the Union among the States more intimate, and for enabling Congress to draw forth & employ the resources of the whole Empire with the utmost Vigor; for althoo we are unable in our present condition to contribute an immediate pecuniary aid, we have Prospects of future Wealth & Ability, when by a Peace, and the Determination of the Controversy relative to our Boundaries, we shall be restored to the entire possession of the State. These prospects we are willing to anticipate, & do not hesitate to give assurances that this State will, on her part, cheerfully consent to vest to Sovereignty of the United States with every power requisite to an effectual defence against foreign Invasion & for the Preservation of Internal Peace and Harmony; and as an individual, I cannot forbear declaring my Sentiments that the Defects in the Powers of Congress are the chief source of present Embarrassm'ts and as a Friend to the Independence & True Interests & Happiness of America, I could wish to be indulged in expressing an earnest Desire that Measures might be taken to remedy these Defects.

While Congress in their Requisitions are subject to the Controul of the several Legislatures, we can have no Reason to expect that the aggregate strength of the Country including in the Idea, Men, Money, & Supplies of every kind, can be properly applied to the great Purposes of the Union.



With respect to the Application for a loan of Powder, I would observe that our State Magazine is now entirely exhausted and we have no means to supply it; the Stock which we have hitherto had has been wholly expended in the Common Defense, and should the Militia be called out, we could not avail ourselves of their Services for want of this essential Article.

The case of the Artificers in the several Departments within this State, is truly deplorable. Many of them are Refugees from the Parts of the State in the Possession, or open to Incursions of the Enemy, with Families and no Means of Subsistence other than their wages. There are Arrears due to many of them since 1778, and they are reduced to the utmost Distress; unless, therefore, they can be relieved, they must inevitably leave the Service, which will be attended with the most injurious consequences, as it will be impossible to procure substitutes. As I am informed by the State Agent that he has lately addressed a letter to the Superintendent of Finance explaining fully the necessity of a speedy settlement of his accounts, I will only beg leave to add on that Subject that there is a reason to apprehend, should this business be delayed that the greatest Care & Attention of the Public Officers concerned will not be sufficient to Prevent Abuses; as from the nature of the service the Delivery of the Supplies, must frequently be made to Boatmen & others of low character, and whose receipts are the only Vouchers the Agent can in these Circumstances procure.

I have the honor to be, &c &c &c

His Excellency John Hanson Esqr.,

Presidt of Congress.

*(Public Papers of George Clinton, 7:520-22)*



## SUGGESTIONS FOR PROGRAMS OF THE 150TH ANNIVERSARY OF THE REVOLUTION

In 1923 the Governor and Legislature appropriated \$5000 to the New York State Historical Association to report on "the appropriate celebration of the 150th anniversary of the important events in this State during the Revolutionary period." That association recommended:

1 That the 150th anniversary of the Revolution should be suitably observed by the people of the State.

2 That the initiative for the program and for State appropriation should be taken by the Board of Regents.

On January 1, 1925, the Board of Regents appointed a special committee which recommended:

A statewide celebration covering the civil and military anniversaries of the two most important years of the Revolution, namely, 1776 and 1777.

In 1926 the celebrations should center on (a) New York's ratification of the Declaration of Independence on July 9, 1776, and its proclamation over the State; (b) the military events about New York City such as the battle of Long Island, the battle of Harlem Heights, the battle of White Plains, and minor engagements.

While these ceremonies will be held, naturally, at the places where the events commemorated occurred, it is hoped that all the cities, villages, towns and communities will participate in some form of local celebration. The Declaration of Independence involved the whole State. No doubt it was read to the troops everywhere and proclaimed by every community in the State. This year, 1926, every political subdivision, every civic and patriotic organization, and every church, club and school should hold appropriate exercises in the observance of Independence Day. The logical day this year for the observance of the 150th anniversary of the Declaration of Independence will be either Saturday, July 3d, Monday, July 5th, or Friday, July 9th, thus reserving Sunday, July 4th, for special religious exercises. Everywhere the Declaration should be read and its historical significance explained.

The military events of 1776 will be observed most appropriately on the sites where they happened, but there is no reason why the places distant from these spots may not unite their observance with the 150th anniversary of the Declaration of Independence.

In 1927 the celebration should include: (a) the adoption of the first State Constitution at Kingston on April 20th; (b) the victory at Oriskany and Fort Stanwix on August 6th-22d; (c) the victory at Bennington on August 16th; (d) the battles of Saratoga, September 19th and October 7th; (e) the fall of the forces in the Highlands and of Kingston, October 6th to 13th; (f) the surrender of Burgoyne at Saratoga, October 17th; (g) the formation of the first State government—election of the first Governor; organization of the first Legislature; appointment of first state officers; and creation of the first state courts. The State Constitution and the State Government embraced the whole State. Hence all our citizens should be interested in commemorating our political beginnings as a free Commonwealth and should plan for local celebrations all over the State at which that great document should be read and the circumstances under which it appeared explained. The collapse of the Burgoyne project virtually assured the triumph of the Revolution. Consequently the Saratoga celebration should awaken national as well as statewide interest.

While it seems wise to stress a statewide celebration in the years 1926 and 1927, yet it should be remembered that the War for Independence did not end until peace was ratified in 1783. During the six years from 1777 to 1783 New York was never free from real or threatened attack. The Hudson valley, the Mohawk valley, the frontier communities and the western part of the State were continuously menaced. Every region of the Commonwealth is connected in some way with the Revolution. These local occurrences and traditions should be enshrined in the hearts of the people by local celebrations adapted to times and places most convenient. While these community gatherings will be centered about certain happenings of the Revolutionary War, at the same time important incidents in the settlement and growth of the community, either before or after the Revolution, may furnish the occasion for the public gathering.

The deeds of pioneers; the formation of the first local government; the erection of the earliest homes, schools, mills and churches; the construction of the roads, bridges and canals; and the planting of industries are as worthy of recognition by those who are enjoying the fruits of these beginnings as are the sacrifice and heroism displayed on the field of war. The Sesquicentennial should be an endeavor to understand our origins and our growth in civilization during the past 3 centuries as well as a reinterpretation of the significance of our natal day. Hence every community in the State is urged to participate in this period of special appreciation and understanding.

Perhaps some practical suggestions for procedure will be helpful:

1 The most important thing is to make a beginning. Every political subdivision in the State now has a local historian authorized and appointed by law. Many counties have county historians and historical societies. Every city and the larger villages have patriotic societies such as the Daughters of the American Revolution, the Sons of the American Revolution, the Sons of the Revolution, etc. Quite obviously the people will look to these individuals and organizations to take the initiative. Perhaps the most satisfactory course would be to have them hold an informal session at which a reliable working committee, not too large, might be appointed.

2 This committee should then proceed to fix on the date and the place, to outline the program and to plan the budget. It should also obtain as much publicity as possible from the local press and perhaps announce the celebration in handbills and posters.

3 To avoid criticism and to obtain as much cooperation as possible, the executive committee should select an "honorary committee" or "patrons and patronesses" consisting of the leading persons in the community. Care should be taken to include representatives of all social groups, churches, societies, clubs and parties. This larger body may be asked to approve arrangements, to help raise funds, to appoint subcommittees, etc.

4 The selection of a program should be given considerable thought. So far as possible it should reflect the sentiment and be adapted to the talent of the community. It should be based on some phase or phases of the history of the locality. Whatever program is selected, an endeavor should be made to have as many members of the community as possible participate in it. All things considered, it is better to hold the exercises out of doors for reasons that are obvious, although retreat to cover in case of inclement weather should be provided.

The following hints may be of service to the committee in deciding upon a program:

(a) *Literary and musical exercises.* These would consist of appropriate historic and patriotic readings, recitations and sources; and music by individuals and groups. This program, as a rule, is one of the easiest to arrange.

(b) *Addresses and music.* This is a dignified and appropriate ceremony. The speakers may be either local persons or those from outside the community, or both may be engaged. Care should be taken, however, to have the addresses fit in with the purposes of the celebration. A brass band seems appropriate to such occasions, but vocal

soloists, chorus music or congregational singing of national songs will do.

(c) *A play and music.* To be most effective, the play should be based so far as possible on local traditions. The music may consist of anything available.

(d) *A parade and fireworks.* This program has the merit of including and delighting everybody, but usually presents little of educational value. The parade, however, may be organized so as to show the history of the community.

(e) *A pageant.* Nothing will arouse more interest than this, and it has the further advantage of using large numbers of all ages from the community. The theme should be based on the most interesting phase, or phases, of local history. It might depict the Indian period; the early traders, trappers and missionaries; the coming of the first settlers; and the heroic and tragic incidents and traditions of the region. Usually local talent may be found both to write the text of the pageant and to stage it. *The important thing is to start early* because a pageant well done involves some expense and much time and labor in preparing the costumes and for rehearsals.

(f) *Moving picture.* A number of excellent films on American history are available. One might be selected that would harmonize with the celebration. This has the advantage of involving little labor and worry.

(g) *A historical exhibition.* The purpose would be to have articles of dress, household goods and furniture, farm implements, wagons, buggies, saddles, harnesses, old books and newspapers, letters and diaries, church records, town records, machinery, souvenirs etc., arranged in some chronological order and shown to the public. It is quite remarkable how much local enthusiasm may be generated by this exposition. It performs the further service of awakening a deeper interest in these sources of the past.

(h) *Games and contests.* Various kinds may be appropriately associated with the local celebration.

(i) *A historical pilgrimage.* A tour may be arranged to the buildings and sites of particular interest, such as the oldest settlements, the earliest churches, schools, mills, roads, bridges, railroads and canals; the cemeteries; the homes of eminent men and women; and the site of some worthy deed. This tour should be conducted by persons who could explain the significance of each place or object visited. It would go far toward arousing a more intelligent interest in the history of the locality.

(j) *A history ball or party.* The purpose would be to have the present members of the community represent in dress and deportment the historic periods of the locality. With some planning and guidance such an affair would be effective and of considerable educational value. Of course it should include everybody, young and old, and so far as possible actual ancestral garments and articles of adornment should be worn.

(k) *Erection of a Liberty Pole.* During the Revolution, and for many years following it, the patriots expressed their sentiments in the erection of a Liberty Pole. This practice might well be revived to commemorate the 150th anniversary of the Revolution by raising a staff that will serve as a flag pole. Appropriate speeches and music should accompany the event.

(l) *Markers and monuments.* Every locality should make an effort during the Sesquicentennial to have its historic sites and buildings marked in some way. These markings need not be expensive. A plain board painted white and lettered in black is very effective. The homes of the pioneers, the earliest schools, churches, mills, stores, roads, bridges etc., should all be marked. Signboards should also be placed on the highways indicating where these historic places are located. More enduring monuments may be erected to commemorate the first group of pioneers, or local heroes, or important historic events.

(m) *Publication of local records.* One of the worth.while and practical methods of observing the Revolutionary anniversaries would be to have the local records — political, school, church and business — of the origin and development of the locality printed for general use. In most cases the expense would not be great and might be met either from public funds or private subscriptions. No doubt the local press would gladly cooperate.

(n) *Preservation of historic buildings.* Nearly every locality has some structure which in a special way tells the story of the past and therefore should be preserved. This is an excellent time to place that building under public care. Perhaps some patriotic society may wish to use it as a home, or possibly it would make an excellent public library or local museum. The transfer of such historic building to public use might be attended by fitting exercises.

(5) Remember that it is necessary to *formulate plans early, to secure the cooperation and interest of the whole community, and to make the celebration educationally worth while.*

In 1926 the State of New York appropriated about \$350,000 for the following historical projects:

1 The publication of *The American Revolution in New York* in a popular edition

2 The observance at White Plains on July 9, 1926, of the 150th anniversary of New York's adoption of the Declaration of Independence

3 The recognition during the fall of 1926 of the anniversaries of the Revolutionary military engagements in and about New York City

4 The celebration at Kingston, in 1927, of the sesquicentennial of the adoption of the first State Constitution and the subsequent organization of the first State Government under it.

5 The participation of the Empire State in the Philadelphia Sesquicentennial in 1926

6 The purchase and restoration as historical parks of the battlefields of Oriskany, Bennington and Saratoga so that appropriate exercises may be held there in 1927

7 The erection of historical markers over the State, in cooperation with interested localities, in commemoration of colonial, Revolutionary and early State history.

8 The celebration of the centenary of the Erie Canal.



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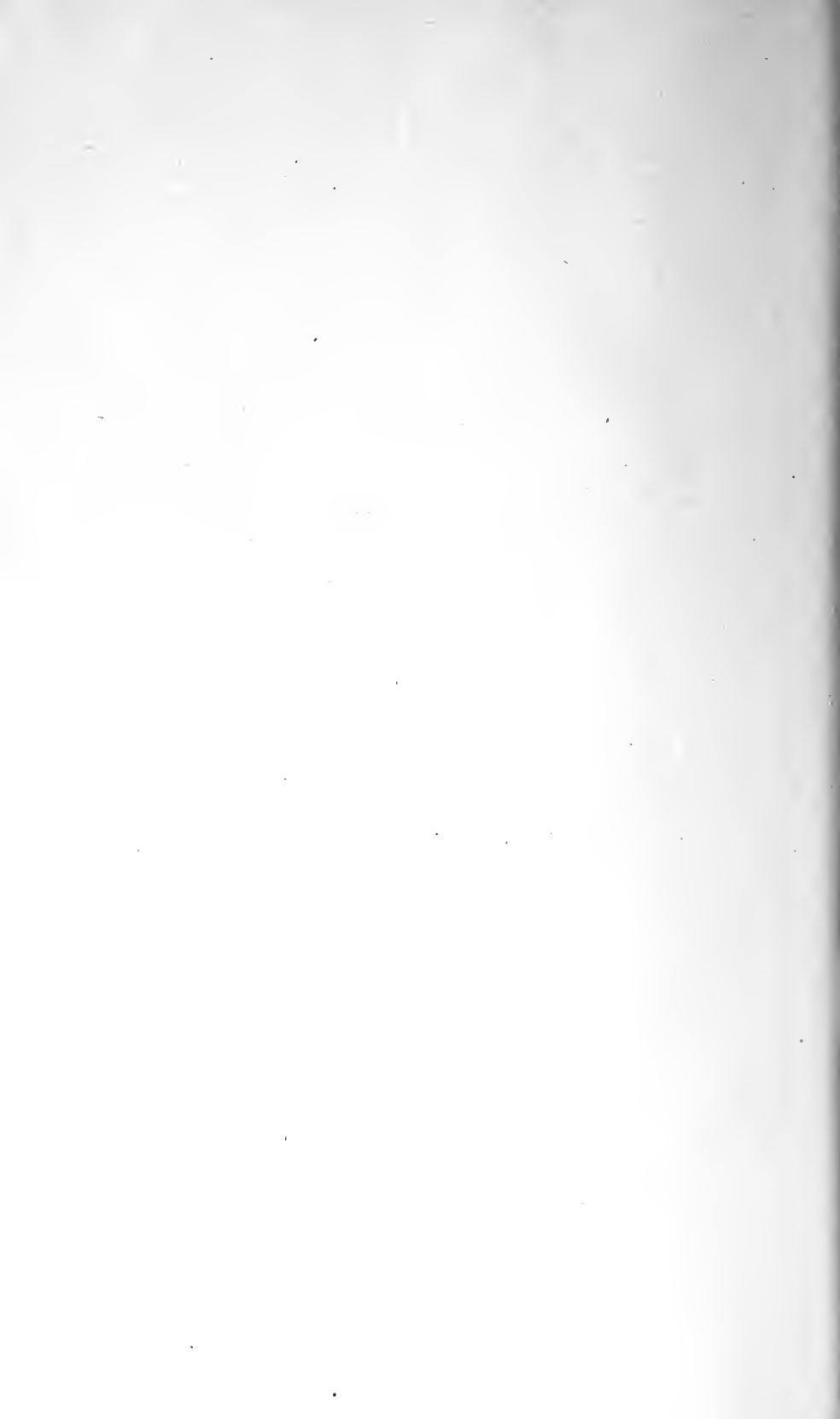
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